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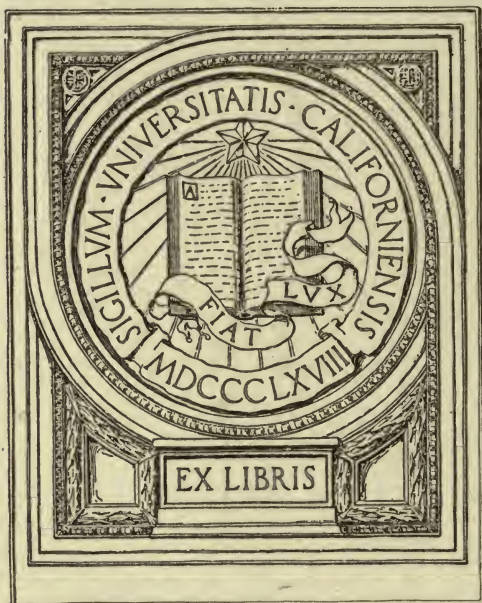
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# Maryland Public School Laws

1918



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THE  
PUBLIC SCHOOL LAWS

OF MARYLAND . *Laws, statutes, etc*

As Contained in Code of Public General Laws of 1912 and  
the Acts of Assembly of 1912, 1914, 1916, and 1918

*Published June 1918 by The State Board of Education,  
McCoy Hall, Baltimore.*

M. BATES STEPHENS, State Superintendent of Schools

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NOTE.—The arrangement and numbering of the chapters and sections in this pamphlet are made to correspond with that of the Code of Public General Laws of 1912. Sections of the Acts of Assembly of 1912, 1914, 1916, and 1918 are arranged consecutively with the sections of the Code. The reference of most recent enactment only is given and will be found preceding each section. References to court decisions follow the section. Full references can be found in the Code.

Chapter 506 of the Acts of 1916 is practically a complete revision of Article 77 of the Code. Sections which were not changed by this act are marked with an asterisk.

The revised By-laws of the State Board of Education, adopted June 6, 1918, under the authority of section 11 of this article have been printed in smaller type immediately following the sections to which they apply.

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THE  
STATE BOARD OF  
EDUCATION

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# THE PUBLIC SCHOOL LAWS OF MARYLAND

AS CONTAINED IN THE MARYLAND CODE OF PUBLIC GENERAL LAWS OF 1912, AND SUBSEQUENT AMENDMENTS.

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PASSED AT THE JANUARY SESSION, 1872, AMENDED AT THE JANUARY SESSION, 1874, 1884, 1886, 1888, 1890, 1892, 1894, 1896, 1898, 1900, 1902, 1904, 1906, 1908, 1910, 1912, 1914, 1916, and 1918.

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## CONSTITUTION OF 1867

### ARTICLE VIII.

#### EDUCATION.

\* Section 1. The General Assembly, at its first session after the adoption of this constitution, shall by law establish throughout the State a thorough and efficient system of free public schools; and shall provide by taxation, or otherwise, for their maintenance.

Clark vs. Md. Institute, 87 Md. 661.

\* Section 2. The system of public schools, as now constituted, shall remain in force until the end of the said first session of the General Assembly, and shall then expire, except so far as adopted or continued by the General Assembly.

\* Section 3. The school fund of the State shall be kept inviolate, and appropriated only to the purposes of education.

### ARTICLE LXXVII.

(CODE OF 1912.)

#### PUBLIC EDUCATION.

1872, ch. 377.

\* 1. There shall be throughout the State of Maryland a general system of free public schools, according to provisions of this article.

St. Mary's Industrial School vs. Brown, 45 Md., 311.

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\*Not changed by Acts of 1916.

## **CHAPTER 1—Control and Supervision.**

1916, ch. 506.

2. Educational matters affecting the State and the general care and supervision of public education shall be entrusted to a State Department of Education, at the head of which shall be a State Board of Education:

1916, ch. 506.

3. Educational matters affecting a county shall be under the control of a county board of education.

1916, ch. 506.

4. Educational matters affecting a school district shall be under the care of a district board of school trustees.

## **CHAPTER 2—Formation of Boards.**

1916, ch. 506.

5. The State Board of Education shall be composed of seven members, who shall be appointed from the citizens of the State by the Governor for a term of seven years, from the first Monday in May next succeeding their appointment, and they shall hold office until their successors qualify. Provided that the terms of office of persons who are members of the board, at the time of the passage of this Act, shall not be affected by its provisions; and provided further, in order that the length of term of the first seven regular appointments under this section shall be so designated by the Governor that there shall thereafter be one regular vacancy and one regular appointment each year, the Governor shall appoint in the first instance only three members, one of whom he shall designate to hold office for a term of seven years, one for a term of six years, and one for a term of five years, from the first Monday in May, 1918; before the first Monday in May, 1920, he shall appoint two members for a term of six and seven years, respectively, from the first Monday in May, 1920; and before the first Monday in May, 1922, he shall appoint two members to serve six and seven years, respectively, from the first Monday in May, 1922. Thereafter the term of each member appointed to the board shall be seven years. The members of

the board shall be appointed solely because of their character and fitness, but no person shall be appointed to the board who is in any way subject to its authority, and the Governor and the State Superintendent of Schools shall not be members of this board after the first Monday of May, 1918. The Governor may remove any member of the board appointed under the provisions of this section for immorality, misconduct in office, incompetency, or wilful neglect of duty, giving to him a copy of the charges against him and an opportunity of being publicly heard in person or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed the Governor shall file in the office of the Secretary of State a complete statement of all charges made against such member, and his findings thereon, together with a complete record of the proceedings. Vacancies on the board for any cause, shall be filled by the Governor, for the unexpired term, and until a successor shall qualify. Any member of the board shall be eligible for reappointment unless otherwise disqualified by the provisions of this section.

1916, ch. 506.

6. County\* boards of education shall be composed in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington, and Montgomery of six members, and in each of the other counties of three members, who shall be appointed from the citizens of the county by the Governor for a term of six years from the first Monday of May next succeeding their appointment, and they shall hold office until their successors qualify. Provided that the terms of office of persons who are members of the county boards at the time when this Act shall take effect shall not be affected by its provisions; and provided further in order that the length of the first six regular appointments under this section in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington, and Montgomery, and the first three regular appointments in the other counties shall be so designated by the Governor that there shall thereafter be one regular vacancy and one regular appointment each year in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington, and Montgomery, and one regular vacancy and one regular appointment every two years in each of the other counties, the Governor shall appoint in the first instance



only two members in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington, and Montgomery, one of whom he shall designate to hold office for the term of six years, and the other for the term of five years, from the first Monday in May, 1918; and in each of the other counties he shall appoint in the first instance only one member to hold office for the term of six years, from the first Monday in May, 1918; before the first Monday in May, 1920, he shall appoint two members in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington, and Montgomery for a term of five and six years, respectively, and one member in each of the other counties for a term of six years, from the first Monday in May, 1920. And before the first Monday in May, 1922, he shall appoint two members in the counties of Baltimore, Carroll, Frederick, Dorchester, Washington, and Montgomery, for a term of five and six years, respectively, and one member in each of the other counties for a term of six years, from the first Monday in May, 1922. Thereafter, the term of each member appointed to the board for each county shall be six years. The members of the boards shall be appointed solely because of their character and fitness, but no person shall be appointed to a board who is in any way subject to its authority. The State Superintendent of Schools, by and with the approval of the Governor, may remove any member of a board appointed under the provisions of this section for immorality, misconduct in office, incompetency or wilful neglect of duty, giving to him a copy of the charges against him, and an opportunity of being publicly heard in person or by counsel, in his own defense, upon not less than ten days' notice. If any member of a county board shall be removed, the State Superintendent of Schools shall file in the office of the Clerk of the Circuit Court for the county for which the member was appointed, if the member so requests, a complete statement of all charges made against such member, and his findings thereon, together with a complete record of the proceedings. Vacancies on any of the county boards for any cause shall be filled by the Governor for the unexpired term, and until a successor shall qualify. Any member of a county board shall be eligible for reappointment, unless otherwise disqualified by the provisions of this section.

1916, ch. 506.

7. District boards of school trustees shall each be composed of three members, appointed from the residents of the school district by the county boards of education on or before the third Tuesday in May, for a term of three years from the third Saturday in May next succeeding their appointment, and they shall hold office until their successors qualify. Provided that in the first instance the county boards of education shall each appoint one member for the term of one year, one member for the term of two years, and one member for the term of three years, from the third Saturday in May, 1917. Thereafter the term of each member appointed to the boards shall be three years. The members of the boards shall be appointed solely because of their character and fitness. A county board of education may remove any member of a district board of trustees of the same county for immorality, misconduct in office, incompetency or wilful neglect of duty, giving to him a copy of the charges against him, and an opportunity of being publicly heard, in person, or by counsel, in his own defense, upon not less than ten days' notice. Vacancies on the boards shall be filled by the county boards of education for the unexpired term and until a successor shall qualify. Any member of a board appointed under the provisions of this section shall be eligible for reappointment unless otherwise disqualified by the provisions of this section. If the county board of education shall find it impossible in any school district to secure the required number of competent persons who will serve as members of the district board of school trustees, the duties of the board for the particular school district shall devolve upon the county board of education.

## By-law 1.

District school trustees shall not be required to take an oath of office.

In case of neglect of duty, or refusal to act, on the part of the members of the district board of school trustees, or any of them, their places shall be declared vacant by the County Board of Education, who shall proceed immediately to fill the same.

**CHAPTER 3—The State Board of Education.**

1916, ch. 506.

8. The State Board of Education shall hold its annual meeting each year at the office of the State Department of Education, on the last Wednesday in May. At this meeting the board shall each year elect one of its members to serve as president, and one

to serve as vice-president. Other regular meetings shall be held on the last Wednesday of August, November, and February, and such special meetings may be held as the duties and business of the board may require.

By-law 2.

The location of the offices of the State Board of Education and of the State Department of Education shall be in McCoy Hall, Baltimore, until by action of the Board the same shall be changed.

1916, ch. 506.

10. The members of the State Board of Education shall receive no salary, but their actual traveling and other necessary expenses incurred in attending the meetings and transacting the business of the board shall be paid. The State Superintendent of Schools shall be the chief executive, the secretary and treasurer of the State Board of Education. He shall attend all meetings of the board and of its committees, except when his own tenure, salary, or the administration of his office are under consideration, and shall have the right to advise on any question under consideration, but shall have no right to vote.

By-law 3.

The Treasurer of the State Board of Education shall receive and hold all moneys to which it is entitled by law, and which may come into its possession. He shall deposit such public moneys received by him in the name of the State Board of Education in such incorporated bank or banks as the Board shall direct. He shall pay out all moneys by check, and no bills shall be paid until approved by the Board and ordered to be paid, except such fixed salaries and wages as shall be actually due. When the money is in hand, these salaries and wages shall be paid at the end of each month. The Treasurer shall keep accurate accounts of all moneys received and disbursed by him and shall preserve the same and all vouchers relating thereto, and shall deliver all such accounts and vouchers to his successor in office; and the same shall be open, at all times, to inspection by members of the Board or any other persons directly interested therein.

The Treasurer shall indicate in his account books the particular source from which each item of income is received, and shall keep separate accounts of the several funds of which he shall have the custody; and no money belonging to one fund shall be applied to any other purpose than the one for which it was appropriated, without an order from the Board. He shall record the purpose of each disbursement, and the vouchers for all disbursements shall likewise show the purpose of each disbursement separately. He shall have the accounts of the Board at each bank where any of its moneys may be deposited balanced at least once in every three months, and one of such balances shall be made at each of said banks on the 31st day of July in every year. The bank books and all vouchers and account books shall be submitted to the Board at the end of each fiscal year and at other times when requested. He shall give bond to the State Board of Education for the faithful and honest discharge of his duties as treasurer in the sum of ten thousand dollars.

1916, ch. 506.

11. The State Board of Education shall, to the best of their ability, cause the provisions of this article to be carried into effect. They shall determine the educational policies of the State; they shall enact by-laws for the administration of the public school system, which when enacted and published shall have the



force of law. For the purpose of enforcing the provisions of this article, and the enacted and published by-laws of the board, the State Board of Education shall, if necessary, institute legal proceedings.

1916, ch. 506.

**12.** The State Board of Education shall exercise, through the State Superintendent of Schools and his professional assistants, general control and supervision over the public schools and educational interests of the State; they shall consult with and advise, through their executive officer and his professional assistants, county boards of education, boards of district school trustees, county superintendents, supervisors, attendance officers, principals, teachers, and interested citizens, and shall seek in every way to direct and develop public sentiment in support of public education.

1916, ch. 506.

**12A.** The State Board of Education shall prescribe, with and on the advice of the State Superintendent of Schools, rules and regulations for the hygienic, sanitary, and protective construction of school buildings and outhouses.

1916, ch. 506.

**12B.** The State Board of Education shall prescribe, with and on the advice of the State Superintendent of Schools, rules and regulations for grading and standardizing all public schools. They may limit, on the basis of the equipment and number of teachers employed, the years and grades of instruction offered in any public school. They shall prescribe the minimum requirements for issuing all certificates, diplomas, and academic, collegiate, professional, or university degrees. No public school shall be officially titled a "high school" without the consent and approval of the State Board of Education; nor shall any public or private educational institution issue any certificate, diploma, or academic, collegiate, professional, or university degree without having first obtained the assent of the State Board of Education and approval of said board of the conditions of entrance, scholarship, and residence upon which said certificate, diploma, or degree is issued.

1916, ch. 506.

**12C.** The State Board of Education shall prescribe, with and



on the advice of the State Superintendent of Schools, courses of study for the public elementary schools, the public high schools, and the state normal schools, which shall be printed in such quantities as to provide each public school official and teacher with a copy, and sufficient for general distribution among the private schools and interested citizens of the State.

1916, ch. 506.

**12D.** The State Board of Education shall prescribe, with and on the advice of the State Superintendent of Schools, rules and regulations, also the subjects and the standards, subject to the provisions of sections 53, 54, and 55 of this article, for the certification of all the teachers of the State, and for the acceptance of the diplomas of the normal schools, colleges, and universities of Maryland, as well as of other States.

1916, ch. 506.

**12E.** The members of the State Board of Education and the State Superintendent of Schools shall be the trustees of the state normal schools, and shall have power to maintain and shall exercise general control over these schools.

1916, ch. 506.

**12F.** The State Board of Education shall prescribe, with and on the advice of the State Superintendent of Schools, the rules and regulations for taking a biennial school census of all children within the State between six and eighteen years of age, inclusive; also the forms and blanks to be employed in taking such census and in compiling the reports thereon.

1916, ch. 506.

**13.** The State Board of Education shall prescribe, with and on the advice of the State Superintendent of Schools, a uniform series of forms or blanks for the use of county boards of education, school officials, and teachers, and shall require all financial accounts, including the annual budget and all educational records, to be kept and all reports to be made according to these forms or blanks.

1912, ch. 169.

\* **15A.** The State Board of Education may, in its discretion, prepare and publish annually a list of approved colleges and universities and determine, by by-laws, the standards for said approval.

## By-law 4.

The State Superintendent of Schools shall publish annually a list of the standard colleges and universities in the State, based on the definition of a standard college adopted by the Carnegie Foundation for the Advancement of Teaching, such list having first been approved by the State Board of Education.

1916, ch. 506.

17. The State Board of Education shall require, with and on the advice of the State Superintendent of Schools, all private educational associations, corporations, or institutions to report annually, on or before the thirty-first day of August, as to enrollment and courses of study on such forms as the State Board of Education may provide.

1916, ch. 506.

17A. The State Board of Education shall conduct, with and on the advice of the State Superintendent of Schools, investigations relating to the educational needs of the State and the means of improving educational conditions; they may employ additional expert assistance for such investigations if needed, and appoint special agents for special investigations of special work.

1916, ch. 506.

17B. The State Board of Education shall transmit biennially to the Governor, certified to by the State Superintendent of Schools, an annual state public school budget as determined by existing laws, including the appropriation for the State Department of Education, the maintenance of the state normal schools, the retired teachers' pensions, state aid to approved high schools, state aid to approved colored industrial schools, the part payment of the salaries of county superintendents of schools, and of one supervisor and one attendance officer in each of the counties and the superintendent, one supervisor and one attendance officer in the city of Baltimore, the free text book fund, materials of instruction and school supplies, and such other appropriations for special educational purposes as may from time to time be made by the General Assembly, and an estimate of the amount that will remain, after all deductions for special purposes and activities, for apportionment to the counties and the city of Baltimore. It shall also be the duty of the State Board of Education, on and with the advice of the State Superintendent of Schools, to prepare, from time to time, as it may be deemed wise, bills, and to recommend the same to the Governor and the General Assembly,

providing for changes in the appropriation for special educational purposes and activities and in the total amount raised and contributed by the State for the encouragement and support of public education.

1916, ch. 506.

**17C.** The State Board of Education shall submit each year, on or before the first day of January, to the Governor an annual report covering all operations of the State Department of Education and the support, conditions, progress, and needs of education throughout the State. Such annual report shall be printed in sufficient quantities for general distribution throughout the State.

1916, ch. 506.

**17D.** It shall be the duty of the State Board of Education to consider the educational needs of the State, and on and with the advice of the State Superintendent of Schools, to recommend to the Governor and to the General Assembly, such additional legislation, or changes in existing legislation, as may be deemed desirable. Such recommendations shall be in the form of prepared bills and shall be laid before the Governor and the General Assembly. The State Board of Education and the State Superintendent of Schools shall be given a hearing on the same by the committees of the Senate and the House of Delegates, to which such bills are referred, if this is requested.

1916, ch. 506.

**17E.** The State Board of Education shall perform such other duties as are assigned to them elsewhere in this article, or may be assigned to them from time to time by the General Assembly.

### **CHAPTER 3A—The State Superintendent of Schools.**

1918, ch. 138.

**18.** The State superintendent of schools shall be appointed by the State Board of Education for a term of four years and said board shall fix his salary and pay same from the appropriation for the expenses and maintenance of the State Department of Education. He shall be an experienced and competent educator; he shall be a graduate of a standard college, have had not less than



two years of special academic and professional graduate preparation in a standard university, and not less than seven years' experience in teaching and administration. Provided, that these qualifications shall not apply to the present incumbent of the office, nor shall they affect his eligibility for reappointment. He may be removed by the board for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty, upon making known to him, in writing, the charges against him, and upon giving him an opportunity of being heard in person or by counsel, in his own defense, upon not less than ten days' notice. In case of vacancy due to any cause, the State Board of Education shall fill the vacancy, and the appointment shall be for the unexpired term, and until a successor shall qualify.

1916, ch. 506.

19. The State Superintendent of Schools shall explain the true intent and meaning of the school laws and of the enacted and published by-laws of the State Board of Education. He shall decide, without expense to the parties concerned, all controversies and disputes, involving the proper administration of the public school system, and his decision shall be final. He shall have authority to administer oaths and to examine under oath, in any part of the State, witnesses in any matter pertaining to the public schools, and to cause the examination to be reduced to writing. Any person, who, having been sworn or affirmed by him to tell the truth, and who wilfully gives false testimony, shall be guilty of perjury.

1916, ch. 506.

19A. The State Superintendent of Schools shall enforce all the provisions of this article and of the enacted and published by-laws of the State Board of Education. He is empowered to cause the State Comptroller, through written notification, to withhold, in case of violation of any of the provisions of this article or of the by-laws enacted and published by the State Board of Education, any part or all of any appropriation made by the General Assembly to any educational institution, or to withhold any part or all of any payment or apportionment from the general state school fund to county school boards.

1916, ch. 506.

**19B.** The State Superintendent of Schools shall execute the educational policies of the State Board of Education. He shall call and conduct conferences of county school boards, district school trustees, county superintendents, supervisors, attendance officers, and teachers, on matters related to the condition, needs, and improvement of the schools. He shall prepare and publish such pamphlets as will stimulate public interest, promote the work of education, and foster in teachers professional insight and efficiency. He shall receive and examine all the reports required under the rules and regulations of the State Board of Education, and in person or through his assistants, shall examine the expenditures, business methods, and accounts of county school boards and advise them on the same.

1916, ch. 506.

**20.** The State Superintendent of Schools shall, subject to the rules and regulations of the State Board of Education, pass upon all proposals for the purchase of grounds, school sites, or buildings, for the sale of the same, and also upon all plans and specifications for the remodeling of old school buildings or the construction of new school buildings costing three hundred dollars (\$300) or more. In case the construction is to be done by the county board itself, it shall be illegal for the county board to proceed until the plans and specifications shall have been approved in writing by the State Superintendent of Schools; in case the construction is to be done by contract, the contract shall be invalid without the written approval of the State Superintendent of Schools.

By-law 5.

Plans for one-room school buildings shall provide for at least these minimum requirements: the school room must be not less than twenty-six feet long, twenty-two feet wide, and ten feet 8 inches high; the windows shall be located on one side, preferably east or north (elevated half-windows in the rear being permitted); the glass surface shall be not less than one-fifth of the floor space, and the top of the windows shall be within at least one foot of the ceiling; the bottom of the black board shall be not more than thirty inches from the floor; and hat and cloak alcoves must be provided in addition to the school room.

1916, ch. 506.

**20A.** The State Superintendent of Schools shall certificate, subject to the rules and regulations of the State Board of Education and the provisions of sections 53, 54, and 55 of this article, all teachers in the public schools of the State.

1916, ch. 506.

**20B.** The State Superintendent of Schools shall prepare, or cause to be prepared, and submit for approval and adoption by the State Board of Education, courses of study for the different grades and kinds of elementary schools, high schools, and normal schools, and also college courses for teachers.

1918, ch. 348.

**20C.** The State Superintendent of Schools is hereby authorized to furnish, by means of pictorial or graphic representations, additional facilities for instruction in geography, history, science and kindred subjects, to the schools, institutions and organizations under the supervision of the State Board of Education. Material collected for this purpose may, under general rules, be lent for a limited time to responsible institutions and organizations for the benefit of artisans, mechanics, and other citizens of the several communities of the State. He may from time to time enter into contracts necessary for carrying out this provision.

1916, ch. 506.

**21.** The State Superintendent of Schools, acting under the rules and regulations of the State Board of Education, shall be responsible for the administration of the State Department of Education, and shall have general supervision of all the professional and clerical assistants of the department. He shall nominate to the State Board of Education all the professional and clerical assistants of the department and may recommend their dismissal for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty. But the qualifications of all appointments, their tenure and compensation, except as may hereinafter be provided, shall be determined by the State Board of Education.

1916, ch. 506.

**21A.** The State Department of Education shall hereafter be provided with the following professional assistants. Such professional assistants as are employed at the time this section shall take effect shall be eligible for reappointment to the positions which they now hold:

(1) An Assistant State Superintendent of Schools, who shall represent the State Superintendent of Schools in his absence; shall



have charge of the office of the department, the correspondence, publications, records, reports, and educational and financial statistics; shall audit the accounts of the county boards of education, and shall perform such other duties as may be assigned to him by the State Superintendent of Schools.

(2) A Supervisor of High Schools, who shall have supervision of state-aided high schools, shall aid the instructors in all other schools above the seventh grade, and shall perform such other duties as may be assigned to him by the State Superintendent of Schools.

(3) A Supervisor of Rural Schools, who shall devote his energies to helping teachers, superintendents, and interested citizens to formulate a plan of rural education adapted to the specific and general needs of the State, and who shall perform such other duties as may be assigned to him by the State Superintendent of Schools.

(4) A white Supervisor of Colored Schools, who shall have supervision of all colored schools, and shall perform such other duties as may be assigned to him by the State Superintendent of Schools.

(5) And such other clerical and professional assistants and agents as may be authorized by the State Board of Education within the limits of the appropriation for the State Department of Education.

By-law 6.

The several assistants of the State Superintendent of Schools shall devote their full time to the work of their respective positions, and shall make no engagements for employment as instructors, or in any other way employ themselves outside of their usual duties, without the consent of the State Board of Education.

1916, ch. 506.

**21B.** The State Superintendent of Schools, subject to the rules and regulations of the State Board of Education, shall direct the taking of a biennial school census of all the children in the State between the ages of six and eighteen years, inclusive, to be taken first in the year 1918, and every two years thereafter, and he may cause the whole or any part of the school census of the city of Baltimore or of any county to be retaken at any time, if, in his judgment, the whole or any part of such census has not been properly or correctly taken.



1916, ch. 506.

**21C.** The State Superintendent of Schools shall prepare or cause to be prepared the annual report of the State Board of Education and shall submit the same to the board for its approval and adoption; he shall also prepare or cause to be prepared all other reports which are or may be required of this board.

1916, ch. 506.

**21D.** The State Superintendent of Schools shall perform such other duties as are assigned to him elsewhere in this article, or may be assigned to him from time to time by the State Board of Education.

#### CHAPTER 4—County Board of Education.

1916, ch. 506.

**22.** The county board of education shall hold an annual meeting each year on the second Tuesday in May, or as near as possible thereto in May. At this meeting the board shall elect one of its members to serve as president and one to serve as vice-president. Other regular meetings shall be held at least once in each school term, and such special meetings may be held as the duties and business of the board may require. The members of the county boards of education shall receive no salary, but each member shall receive the sum of one hundred dollars annually for traveling and other expenses incident to attending the meetings and transacting the business of the board within the county.

By-law 7.

The rules generally adopted by deliberative bodies for their government shall be observed by the county board of education. No motion or resolution shall be declared adopted, without the concurrence of a majority of the whole Board, viz: two members when the Board consists of three, and four members when the Board consists of six.

1916, ch. 506.

**23.** The county board of education are hereby declared to be a body politic and corporate by the name and style of the Board of Education of.....County, and by that name shall have perpetual succession, and shall be capable to sue and to be sued, to use and to have a common seal, and the same at their pleasure to alter or break, and to exercise all the powers and privileges hereby granted to or vested in them.

1916, ch. 506.

24. All the property, estate, effects, money, funds, claims, and state donations heretofore vested by law in the public school authorities of any county, for the benefit of public, primary, free, or high schools, are transferred to and vested in the county boards of education, and their successors in office. The county boards of education are authorized, empowered, directed, and required to maintain a uniform and effective system of public schools throughout their respective counties. Real and personal estate granted, conveyed, devised, or bequeathed for the use of any particular county or school district shall be held in trust by the county board of education for the benefit of such county or school district, and such grants and bequests shall be exempt from all state and county taxes. Moneys invested in trust for the benefit of the public schools of any county or city shall be exempt from state, county, or local tax.

1916, ch. 506.

25. The county superintendent of schools shall be the executive officer, the secretary and treasurer of the county board of education. He shall attend all meetings of the board and of its committees, except when his own tenure, salary, or the administration of his office are under consideration, and shall have the right to advise on any question under consideration, but shall have no right to vote.

By-law 8.

The county superintendent shall keep an accurate minute of the proceedings of each meeting and, after same shall have been duly approved at the first subsequent meeting, he shall record said proceedings in a substantial book to be kept for the purpose. This record book shall be accessible to, and open for examination by, any member of the Board or any other interested person.

By-law 9.

The county superintendent, as secretary, shall carefully file and safely keep all letters, written reports, and other papers relating to his office and to the business of the Board, and all the correspondence pertaining thereto. On or before the twentieth day of August in each year, he shall prepare on blank forms prescribed by the State Board of Education, and present to the County Board of Education for its perusal and consideration, the annual report to the State Board of Education.

1916, ch. 506.

25A. The county board of education shall to the best of its ability cause the provisions of this article, the by-laws, and the policies of the State Board of Education to be carried into effect. Subject to this article, and to the by-laws and the policies of the State Board of Education, the county board of education

shall determine, with and on the advice of the county superintendent, the educational policies of the county and shall prescribe rules and regulations for the conduct and management of the schools.

By-law 10.

Every teacher is required to become familiar with the by-laws and regulations of the State Board of Education and those of the county board not at variance with same, and to bear in mind that by accepting employment he or she voluntarily undertakes to discharge all duties imposed or implied therein.

1916, ch. 506.

**25B.** The county board of education shall exercise, through its executive officers, the county superintendent and his professional assistants, control and supervision over the public school system of the county. The board shall consult and advise, through its executive officer and his professional assistants, with the boards of district trustees, principals, teachers, and interested citizens, and shall seek in every way to promote the interests of the schools under their jurisdiction.

1916, ch. 506.

**25C.** The county board of education shall divide the county into appropriate school districts, shall keep full records of the boundaries thereof, and shall locate and maintain schools, as needed, within each district. They are authorized and empowered, with the approval of the State Superintendent of Schools, to purchase grounds, school sites or buildings, or to sell the same; to rent, repair, improve, and construct school buildings, or approve contracts for so doing, when the plans conform to the rules and regulations of the State Board of Education, and are approved by the State Superintendent of Schools, as provided for in section 20 of this article. They shall employ an architect or architects on the recommendation of the county superintendent of schools to assist in the preparation of plans and specifications for remodeling old buildings and for constructing new buildings. They may sell, with the approval of the State Superintendent of Schools, school grounds, school sites, and school buildings when no longer needed for educational purposes.

1916, ch. 506.

**25D.** The county board of education may receive donations of school grounds or school sites, or of houses already built suitably located and adapted to school purposes, but in no case



shall any site be built upon, or any house be occupied, until a good and sufficient title has been obtained for the same in the corporate name of the board.

1916, ch. 506.

**25E.** When lands shall be required for the site of a school-house, or for enlarging a schoolhouse lot, or for playgrounds or other school purposes, and the county board of education shall for any cause be unable to contract with the owner or owners thereof upon what they deem to be a fair valuation thereof, the county board of education may institute proceedings for the acquisition of such lands, in accordance with Chapter 463 of the Acts of 1914; but no lot so taken or enlarged shall exceed, in the whole, five acres, including the land occupied by the school building.

1916, ch. 506.

**25F.** Schools on or near the dividing line of two counties shall be free to the children of each county; and the county board of education of the respective counties shall have power to provide jointly for the maintenance of said schools.

By-law 11.

Failure of the county boards of education to make a joint arrangement for the maintenance and support of a school near the line dividing two counties shall not prevent children of school age from attending school in the adjoining county, provided such school is nearer them by a publicly traveled road than any school of the county in which they reside. Should the two county boards of education fail to agree in determining the support each should give to such school, the State Superintendent of Schools shall decide.

1916, ch. 506.

**25G.** The county boards of education in every county of the State shall provide sanitary, hygienic, suitable and convenient water-closets or outhouses for each of the schools under their official jurisdiction, not less than two for each school or building, when both sexes are in attendance, in their respective school districts, with separate means of access for each; and unless placed at a remote distance, one from the other, the approaches or walks thereto shall be separated by a substantial close-fence, not less than seven feet high; and it shall be the duty of the said boards to make provision for keeping the said water-closets or outhouses in a clean, comfortable, sanitary, and hygienic condition. Neglect or failure on the part of any county board of education to comply with the provisions of this section shall constitute cause for the removal of its members, as provided in section 6 of this article.

1916, ch. 506.

**25H.** The county board of education shall consolidate schools wherever in their judgment it is practicable, and arrange, when possible without charge to the county, and shall pay, when necessary, for the transportation of pupils to and from such consolidated schools.

1916, ch. 506.

**25I.** The county board of education shall purchase and distribute, on the written recommendation of the county superintendent, text-books, supplementary readers, materials of instruction, stationery and school supplies, school furniture, equipment, and apparatus needed by the schools under their jurisdiction.

By-law 12.

The county board of education shall prepare rules and regulations for the distribution and care of books furnished to pupils, and shall attach a copy of the same to each book so furnished. Failure of any pupil to comply with such regulations shall justify the principal in withholding from him all books and school supplies, until restitution is made. Every teacher shall keep an account of the books belonging to the school furnished each pupil for use, and shall require the return of the books when the pupil leaves school. At the end of each school year the principal shall furnish to the county board of education an inventory of books and stationery on hand, and shall be responsible for losses of same when not explained to the satisfaction of the county board of education.

1916, ch. 506.

**25J.** The county board of education shall appoint, on the written recommendation of the county superintendent, all principals and assistant teachers, and fix their salaries, subject to the provisions of Chapter 8 of this article. The county board may suspend or dismiss without appeal any teacher so appointed, on the written recommendation of the county superintendent, for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty, provided that the charges be stated in writing, and that the teacher be given an opportunity to be heard by the board upon not less than ten days' notice; provided further that in all cases when the board is not unanimous in its decisions to suspend or dismiss, the right of appeal shall lie to the State Superintendent of Schools.

By-law 13.

All contracts with teachers, both principals and assistants, employed after June 1, 1918, shall be in writing and on uniform blanks furnished by the State Board of Education, which shall be signed by the teacher, the president, and secretary of the county board of education, and when so signed shall be filed by the secretary in the office of the board; provided teachers employed prior to June 1, 1918, and continuing in the service, shall have the contract herein prescribed when they so desire. The following shall be the form of contract and, under the foregoing conditions, no other shall be recognized:

Teacher's Contract.

State of Maryland, County of.....  
It is hereby agreed by and between the County Board of Education of.....  
County and.....that the said.....shall be and is  
hereby employed to teach in the public schools of.....County,  
as.....subject to  
assignment by the County Superintendent or transfer to some other teaching position  
within the county, provided that if the transfer be made during the school year or  
after the opening of the school for any year, the salary shall not be reduced for the  
remainder of the year. The salary of said teacher shall be fixed by the County  
Board of Education, which salary shall be not less than the minimum salary provided  
by law.

And it is further agreed that the said teacher will not vacate the position to  
which assigned during any school year, except in case of emergency of which the  
County Board of Education shall judge.

And it is further agreed that either of the parties to this contract may terminate  
it at the end of the first or second school year by giving thirty days' notice in  
writing to the other during the month of June or July.

And it is further agreed that if the teacher named herein wishes to vacate his  
or her position after the second year, thirty days' notice in writing shall be given  
the County Board of Education during the month of June or July, except in case of  
emergency of which the County Board of Education shall judge.

If any of the conditions of this contract shall be violated by the teacher named  
herein, salary already accrued will be forfeited, in the discretion of the County  
Board of Education.

This contract shall continue from year to year, subject to the foregoing condi-  
tions, provided that if the teacher, on recommendation of the County Superintendent,  
is suspended by the County Board of Education in accordance with the provisions  
of Section 53 of Article 77 of the Annotated Code of Maryland, said teacher shall  
have the right of appeal to the State Superintendent of Schools, if the decision of  
said board is not unanimous.

This contract is made in accordance with the provisions of the school law, and is  
subject to Sections 53 and 56 of Article 77 of the Annotated Code of Maryland, Chap-  
ter 506 of the Acts of the General Assembly of 1916, and any amendments thereto,  
and will be filed among the records of the County Board of Education.

The said.....on.....part hereby accepts said appointment, to  
take effect on the.....day of.....19.....

Date of signing this contract.....19.....  
Witness our hands:

.....  
President, County Board of Education.

.....  
Secretary, County Board of Education.

.....  
Teacher.

1916, ch. 506.

**25K.** The county board of education, subject to the provisions  
of this article, the by-laws, courses of study and policies of the  
State Board of Education, shall prescribe, on the written recom-  
mendation of the county superintendent, courses of study for the  
schools under their jurisdiction, and a printed copy of these  
courses of study shall be supplied to every teacher and to every  
interested citizen of the county.

1916, ch. 506.

**25L.** The county board of education, subject to the provisions  
of this article, and the by-laws of the State Board of Education,  
shall, on the written recommendation of the county superintend-  
ent, grade and standardize all the schools under their jurisdiction.

1916, ch. 506.

**25M.** The county board of education shall, subject to the



direction of the State Superintendent of Schools and to the rules and regulations of the State Board of Education, cause to be taken, under the direction of the county superintendent, a biennial school census of the children of the county between the ages of six and eighteen years, inclusive, to be taken first in the year 1918, and every two years thereafter; and the county superintendent shall cause, upon the direction, at any time, of the State Superintendent of Schools, the whole or any part of any school census of his county to be retaken.

1916, ch. 506.

26. The county board of education, each year, beginning with the year 1916, shall prepare, subject to the rules and regulations of the State Board of Education and on and with the advice of the county superintendent, an itemized and detailed school budget, showing the amount of money needed for permanent improvements and repairs, and for current repairs, furniture for old buildings, maintenance and support of the schools during the succeeding school year, also the estimated total amount that will be received from the State, which shall be used for paying teachers' salaries and purchasing textbooks, materials of instruction, and school supplies; and finally the amount that will be needed to be raised by local taxation. This annual school budget shall be submitted in writing, not less than twenty days before the usual date for levying county taxes, to the board of county commissioners; at the same time a copy of this annual budget shall also be submitted to the board of county commissioners and to the State Superintendent of Schools. The board of county commissioners are hereby authorized, empowered, directed, and required to levy and collect such tax upon the assessable property of the county as will produce the amount requested to be raised by local taxation in the annual budget of the county board of education. The amount requested in the annual budget of the county board of education for current repairs, furniture in old buildings, maintenance and support of the schools, for the succeeding school year, and to be raised by local taxation shall not hereafter in any year be less than a minimum tax, levied and collected, of 34 cents on each one hundred dollars (\$100) of the assessable property in the county. Provided that if in any county the tax levied and collected for the school year ending July thirty-first, 1916, for cur-



rent repairs, furniture in old buildings, maintenance and support of the schools, was less than 34 cents on each one hundred dollars (\$100) of assessable property in the county, such county shall only be required to increase its total tax rate for the schools annually by 2 cents on each one hundred dollars (\$100) of the assessable property in the county, until the tax levied and collected for current repairs, furniture in old buildings, maintenance and support of the schools in any one school year, shall equal a minimum tax levied and collected of 34 cents on each one hundred dollars (\$100) of the assessable property of the county. Provided further, that the total amount requested for any one school year by the county board of education for permanent improvements and repairs, current repairs, furniture in old buildings, maintenance and support of the schools shall not exceed a tax levied and collected of 40 cents on each one hundred dollars (\$100) of the assessable property in the county, unless the board of county commissioners shall approve and sanction such additional tax. Provided also that if the total amount requested for any one school year by the county board of education to be raised by local taxation exceeds a tax, levied and collected of 40 cents on each one hundred dollars (\$100) of the assessable property in the county and such additional tax is not approved and sanctioned by the board of county commissioners, the county commissioners shall indicate in writing what item or items of the annual budget of the county board of education have been denied in whole or in part, and the reason for the denial in whole or in part of the respective items. Taxes so levied and collected shall be separately indicated on tax bills and tax receipts, and shall be known as the County School Tax. Taxes so levied shall be collected as other taxes and shall be paid monthly to the treasurer of the county board of education in as nearly equal amounts as possible, beginning on or before the tenth of October of each year and continuing up to and including June; provided that taxes levied and collected for permanent improvements and repairs or special purposes may be required to be paid oftener, upon the order of the president and secretary of the county board of education to the board of county commissioners. All taxes received by the county board of education shall be expended by them in accordance with the items of their annual budget. Any sum of money which may have been specially levied

and collected on any election or schoolhouse district for the educational purposes connected with such district shall be collected for and applied to the purpose so intended originally and shall be used for no other purpose; and if said funds have been used otherwise, they shall be returned and applied as aforesaid.

Board of Education of Prince George's County vs. County Commissioners. Daily Record, December 29, 1917.

1916, ch. 506.

27. Each county board of education shall hereafter provide for at least an annual audit of its business and financial transactions and of the accounts of its treasurer by an accountant or accountants, approved by the State Superintendent of Schools, and the results of this audit shall be made public by the county board of education.

1916, ch. 506.

28. Each county board of education and the Board of School Commissioners of the city of Baltimore shall make all the reports required by the State Board of Education and the State Superintendent of Schools at such times, upon such items, and in such form and on such blanks as may be prescribed by the State Board of Education and the State Superintendent of Schools.

By-law 14.

The county board of education shall make an annual report to the State Board of Education, on or before the first day of September of each year, in such form and containing such statistics as the blanks prescribed by the State Board of Education require.

1916, ch. 506.

29. Each county board of education shall cause to be prepared and published annually, in the month of November, in sufficient quantities for distribution among the citizens of the county, an annual report addressed to the people of the county, covering the condition, current accomplishments, and needs for the improvement of the schools, also a statement of the business and financial transactions of the board.

By-law 15.

The annual report of the county board of education, which may be published either in some newspaper in the county or in pamphlet form, shall contain a statement of receipts and disbursements by schools, including a statement showing any indebtedness of the board at the close of the fiscal year. The county superintendent shall send a copy of this report to the State Board of Education within ten days of its publication.

**CHAPTER 4A—The County Superintendent of Schools.**

1916, ch. 506.

72. The county board of education of each county shall appoint during the month of May a superintendent of schools for a term of four years, from the first day of August next succeeding his appointment, and he shall hold office until his successor qualifies. No person shall be eligible for appointment to the office of county superintendent of schools who does not hold from the State Superintendent of Schools a certificate in administration and supervision as provided for in section 55 of this article, nor shall the appointment of any person by the county board of education to the position of county superintendent of schools be valid without the written approval of the State Superintendent of Schools. Provided that all county superintendents of schools holding office at the time when this act shall take effect, shall continue to serve to the end of the term for which they were originally appointed, and until their successors qualify, unless removed, as hereinafter provided, and shall also be eligible for reappointment; and provided, further, that all county superintendents of schools shall be paid, beginning with the school year 1916-1917, on the basis of the salaries hereinafter specified. The salary of the county superintendent of schools shall not be diminished during his term of office. The county superintendent of schools shall devote his entire time to public school business and shall receive such compensation as the county board of education shall direct, provided that no county superintendent of schools appointed to office under the provisions of this section, or continuing in office under the provisions of this section, shall be paid an annual salary of less than eighteen hundred (\$1,800) dollars, and the State of Maryland shall, as hereinafter provided, pay out of the General State School Fund to the treasurer of the county board of education, one-half of the annual salary of the county superintendent of schools, up to and including an annual salary of three thousand (\$3,000) dollars. County boards of education may, in their discretion, pay to a county superintendent an annual salary in excess of three thousand (\$3,000) dollars, but the State shall not share in the part payment of said excess. The State Superintendent of Schools may remove any county superintendent of schools ap-



pointed under the provisions of this section or continuing in office under the provisions of this section, for immorality, misconduct in office, insubordination, incompetency, or wilful neglect of duty, upon making known to him, in writing, the charges against him, and upon giving to him an opportunity of being heard in person or by counsel, in his own defense, upon not less than ten days' notice. In case of vacancy due to any cause, the county board of education shall fill the vacancy and the appointment shall be for a full term of four years, and until a successor shall qualify.

By-law 16.

On vacating his office, the county superintendent shall deliver his books, vouchers, and all official papers and keys belonging to the office, to his successor in office not later than the first day of the term for which his successor was elected. All books of account and record shall be completed and posted up to and including the date of his leaving the office, and his last month's salary shall not be paid until this provision has been complied with.

By-law 17.

The county superintendent shall have charge of the office of the county board of education and shall cause it to be kept open every day, except Sundays and holidays, from 9 A. M. to 12 M., and from 1 P. M. to 5 P. M., or an equal number of hours on such business days. On Saturdays, the office may be closed at 1 P. M.

1916, ch. 506.

**72A.** The county superintendent of schools, as the executive officer of the county board of education, shall see that the laws relating to the schools, the enacted and published by-laws and the policies of the State Board of Education and the rules and regulations and the policies of the county board of education are carried into effect.

1916, ch. 506.

**72B.** The county superintendent of schools shall explain the true intent and meaning of the school laws, and of the by-laws of the State Board of Education, subject to the approval in writing of the State Superintendent of Schools; he shall decide, without expense to the parties concerned, all controversies and disputes involving the rules and regulations of the county board of education and the proper administration of the public school system in the county, and his decision shall be final, except that an appeal may be had to the State Superintendent of Schools if taken in writing within thirty days. The county superintendent of schools shall have authority to administer oaths and to examine under oath, in any part of the county, witnesses in any matter pertaining to the public schools of the county, and to cause the examina-

tion to be reduced to writing. Any person, who, having been sworn or affirmed by him to tell the truth, and who wilfully gives false testimony, shall be guilty of perjury.

By-law 18.

An accurate record shall be kept by the county superintendent of all trials or cases decided, in order that, if an appeal be taken, all facts may be submitted.

1916, ch. 506.

**72C.** The county superintendent of schools shall recommend for condemnation school buildings which are unsanitary and unfit for use; he shall recommend all repairs, the purchase of grounds, school sites and buildings, or the sale of the same, and shall prepare or cause to be prepared all plans and specifications for the remodeling of old buildings, and the construction of new buildings, subject to the provisions of section 20 of this article; and he shall recommend, in his discretion, to the county board of education, an architect or architects to assist in the preparation of the plans and specifications for remodeling old buildings or the construction of new buildings, and shall supervise such remodelling and construction. He shall approve in writing all contracts of whatever kind entered into by the county board of education, and no contract entered into by the county board of education shall be valid without the written approval of the county superintendent of schools.

1916, ch. 506.

**72D.** The county superintendent of schools shall be the representative of the State Superintendent of Schools in all state examinations for teachers' certificates conducted within the county, and shall perform such duties in connection therewith as may be required by the State Superintendent of Schools. He may issue, without charge, provisional certificates to teachers, subject to the provisions of Chapter 8 of this article.

1916, ch. 506.

**72E.** The county superintendent of schools shall nominate, for appointment by the county board of education, all principals and all assistant teachers, shall assign them to their positions in the schools, transfer them as the needs of the schools require, recommend them for promotion, suspend them for cause, and recommend them for dismissal.

1916, ch. 506.

**72F.** The county superintendent of schools shall organize and attend county and local institutes for teachers and citizens, shall organize and direct the work of reading centers of the county, advise teachers as to their further study and professional reading, and assist parents and citizens to acquire a knowledge of the aims and work of the schools.

1916, ch. 506.

**72G.** The county superintendent shall visit the schools, observe the management and instruction and give suggestions for the improvement of the same. He shall advise with principals and teachers, counsel district trustees, and shall labor in every way to awaken public interest and to improve educational conditions within the county.

By-law 19.

The county superintendent shall devote at least 90 full days each year to visiting the schools of his county. He shall carefully inspect the school plant and equipment; observe the methods of the teacher; test the proficiency of pupils in their school work; inquire into all matters of instruction, discipline, and management of the school, and advise with the teacher for their improvement; and report his findings to the county board of education. He shall personally visit each school in the county at least once each year.

When only one supervisor of the elementary schools is employed in any county, such supervisor should be assigned to the one-teacher rural schools.

1916, ch. 506.

**72H.** The county superintendent of schools shall grade and standardize, subject to the rules and regulations of the State Board of Education, all the public schools of the county, and shall recommend the same for approval to the county board of education.

By-law 20.

He shall cause to be held twice in each scholastic year an examination of pupils above the third grade in the various branches of their grade. The first examination shall be held in the month of January of each year, and the second, during the last week of the school year, or the week preceding. Each examination shall be based upon the half of the year's work prescribed in the course of study. The questions for the test for the first half of the work prescribed in the course of study shall be prepared by the county superintendent, or, at his discretion, by the teachers, and a copy of such questions prepared by the teachers, together with the answer papers written by the pupils, shall be preserved at the school house for six months and be open to the inspection of any interested person. The questions for the examination based upon the second half of the work prescribed in the course of study shall be prepared by the county superintendent, or under his direction in his office, and sent to each principal teacher in due time; and the package containing the questions shall not be opened until the day of the examination. The county superintendent shall prepare a schedule of examinations which shall be followed in all schools in his county. The examination questions and answer papers shall be preserved at the school house for six months, and shall be accessible to any interested person.



1916, ch. 506.

**72I.** The county superintendent of schools shall prepare courses of study, subject to the rules and regulations and the courses of study of the State Board of Education, for the public schools of the county, and shall recommend the same for adoption by the county board of education.

1916, ch. 506.

**72J.** The county superintendent of schools shall prepare lists of such text books, supplementary readers, materials of instruction, stationery and school supplies, school furniture, equipment and apparatus, as are needed by the schools, and shall recommend the purchase and distribution of the same by the county board of education.

1918, ch. 494.

**73.** The county superintendent of schools, acting under the rules and regulations of the county board of education, shall be responsible for the administration of the office of the county superintendent of schools. He shall nominate, for appointment by the county board of education, all the professional, clerical, statistical and stenographic assistants of the office; he shall recommend their removal for immorality, misconduct in office, incompetency, insubordination, or wilful neglect of duty, and he shall see that all regular appointees of the county board of education devote their entire time to their duties. But the qualifications of all appointments, their tenure and compensation except as may hereinafter be provided, shall be determined by the county board of education. The office of the county superintendent of schools shall, beginning with the school year 1916-1917 be provided as follows with professional, clerical, statistical and stenographic assistants; provided that all professional, clerical, statistical and stenographic assistants holding office at the time of the enactment of this section shall continue to serve to the end of the terms for which they were originally appointed, and until their successors qualify, unless removed as herein provided; and provided further, that they shall be paid, beginning with the school year 1916-1917, on the basis of the salaries herein specified:

(1) In each county employing not less than one hundred (100) teachers there shall be appointed at least one primary grade supervisor, who shall receive such compensation as the county board of



education shall direct; provided, that no person shall be eligible for appointment as a supervisor who does not hold from the State Superintendent of Schools a certificate in supervision as provided for in Section 55 of this Article; nor shall the appointment of any person by the county board of education as a supervisor be valid without the written approval of the State Superintendent of Schools. And provided further, that no supervisor, appointed under the provisions of this section or continued in office under the provisions of this section, shall be paid an annual salary of less than twelve hundred (\$1,200.00) dollars, and the State of Maryland shall pay, as hereinafter provided, out of the General State School Fund to the treasurer of the county school board one-half of the annual salary of one primary grade supervisor up to and including an annual salary of two thousand (\$2,000.00) dollars. County boards of education are free to employ as many additional supervisors as in their judgment are necessary, but the State shall not share in the payment of their salaries. Provided, that in counties employing less than one hundred (100) teachers, the county board of education may employ at least one primary grade supervisor, subject to and under the foregoing conditions. Provided, further, that two counties each employing less than one hundred (100) teachers may join, with the approval of the State Superintendent of Schools in the employment of at least one primary grade supervisor, subject to and under the foregoing conditions.

(2) There shall be appointed in each county at least one attendance officer, whose duty it shall be to compel the regular attendance of children at school. Such person shall receive such compensation as the county board of education shall direct, provided that the appointment of any person as an attendance officer shall be invalid without the written approval of the State Superintendent of Schools. And provided further, that no attendance officer appointed under the provision of this section or continued in office under the provision of this section, shall be paid an annual salary of less than six hundred (\$600.00) dollars, and the State of Maryland shall pay, as hereinafter provided, out of the General State School Fund to the treasurer of the county board of education one-half of the annual salary of one attendance officer, up to and including an annual salary of twelve hundred dollars

(\$1,200.00). County boards of education are free to employ as many additional attendance officers as in their judgment are necessary, subject to the approval of the State Superintendent of Schools, but the State shall not share in the payment of their salaries. Provided, the State Board of Education in its discretion may excuse any county from employing an attendance officer and may designate the county superintendent of schools, the primary supervisor or the statistical clerk to perform the duties of the attendance officer, and when so designated the proportional part allowed each county for salary for such work shall be used for general school purposes.

(3) There shall be employed in each county at least one statistical and stenographic clerk.

(4) And such other clerical, statistical and stenographic assistants and such other professional assistants, assistant superintendents, supervisors, attendance officers, medical inspectors and school nurses as the county board of education shall authorize; provided, that no professional assistant shall be appointed who does not hold the appropriate certificate issued by the State Superintendent of Schools, and the appointment of no professional assistant shall be valid without the written approval of the State Superintendent of Schools.

By-law 21.

The county board of education shall appoint, not later than June fifteenth of each year, the professional and clerical assistants of the county superintendent, and fix their salaries; provided, no person shall be employed as attendance officer unless such person shall have academic and professional preparation equivalent to that represented by an elementary school teacher's certificate of the first grade. A vacation of at least one month shall be given each, the time for which shall be determined by the county superintendent. Under the direction of the county superintendent, the attendance officer shall keep a record of each child in the county between the ages of six and eighteen years, and submit to the board for the biennial census the number of such children on or before June 1, 1918, and every two years thereafter.

By-law 22.

The State Superintendent of Schools shall report to the State Board of Education at its next subsequent meeting, the names and qualifications of all superintendents, supervisors, and attendance officers approved under authority of Sections 72 and 73 of Chapter 506 of the Acts of 1916, together with a statement of the amount of their salaries to be borne by the State.

By-law 23.

The county board of education shall provide suitable office desks for the supervisor and the attendance officer, both of whom are professional assistants of the county superintendent and part of the office force. When not visiting schools or otherwise officially employed, they shall spend their time in the office performing such duties, consistent with their positions, as may be assigned by the county superintendent; and they shall not engage in any other gainful occupation while filling their respective positions.

1916, ch. 506.

74. The county board of education shall provide the office of

the county superintendent of schools with ample, convenient, and comfortable quarters, and with adequate clerical equipment; and the county superintendent of schools and his professional assistants shall be provided with such means of transportation as are necessary for the effective and efficient performance of their official duties. They shall be reimbursed for all actual and necessary traveling and other expenses and disbursements incurred or made by them in the performance of their official duties, and no part of the traveling or personal expenses of the county superintendent and his professional assistants incurred in the performance of their official duties shall be included in, or counted as a part of their annual salary.

1916, ch. 506.

75. The county superintendent of schools shall direct the taking of the biennial school census provided for in sections 21B and 25M of this article.

1916, ch. 506.

76. The county superintendent of schools shall take the initiative in the preparation and presentation of the annual school budget, and shall in every way seek to secure adequate funds from the local authorities for the support and development of the public schools of the county.

1916, ch. 506.

77. The county superintendent of schools, acting as the executive officer of the county board of education, shall conduct all correspondence, receive all reports from the board of district trustees, principals, and teachers, and shall see that all reports are properly made and submitted. He shall prepare, or cause to be prepared, and submit to the county board of education for adoption, all reports required of that board by the State Board of Education or the State Superintendent of Schools, and he shall prepare, or cause to be prepared, and submit for approval, to the county board of education, the annual report addressed to the people of the county, provided for in section 29 of this article.

1916, ch. 506.

78. The county superintendent of schools, as secretary and treasurer of the county board of education, shall give bond to the



State of Maryland in such penal sum as the board shall determine. Said bond shall have the security of any guaranty, deposit, trust, or other similar company duly authorized under the laws of Maryland to act in such capacity. The cost or fee for such security shall be paid by the county board of education, and said bond, when executed, shall be filed in the office of the clerk of the court of the county. The bond shall provide that the secretary and treasurer will faithfully perform the duties of the office and pay over and apply all moneys that shall come to his hand or care as treasurer to such persons and in such manner as said board may, under the provisions of this article, direct, and that he will keep a full account of all moneys received and paid by him, and all matters relating to the duties of his office and preserve the same and all vouchers relating thereto, and deliver up all books and vouchers relating to his office to his successor.

1918, ch. 473.

**78-A.** The county superintendent of schools as treasurer of the county board of education in the several counties is hereby authorized and directed to deposit daily all public funds and moneys which shall come into his hands for or on account of the public schools, in such bank, banks, or banking institutions in his county which will agree to pay the highest rate of interest, in no case to be less than 2 per cent. per annum, compounded semi-annually, upon the daily balances, such bank, banks or banking institutions to be selected and designated by the county board of education of said county. The interest received on the deposits shall be credited semi-annually to the school funds and become a part of said funds to be accounted for by the superintendent of schools in the same manner as the other school funds.

## **CHAPTER 5—The District Board of School Trustees.**

1918, ch. 391.

**31.** Every district board of school trustees shall hold an annual meeting each year on the third Saturday in May, or as soon thereafter in May as possible. At this meeting the board shall each year appoint one of its members as chairman, and shall give notice of such appointment to the secretary of the



county board of education. Other regular meetings shall be held at least once each school term, and such special meetings shall be held as the duties and business of the board shall require. The principal teacher of the school district shall be the secretary for the board and shall attend all meetings of the board except when the board is in executive session; and shall with the consent of the majority of the members of the board present have the right to speak upon all questions, but shall have no right to vote; shall prepare for adoption all reports required by the county board of education; shall keep all records and accounts; shall keep the minutes of the meetings of the board in a record book provided by the county board of education, and shall conduct the correspondence of the board. Any teacher of the school district shall have the right to appear before the board and speak upon any question, but no teacher or principal teacher shall be entitled to be present before the said board when the board is in executive session.

The district board of school trustees shall have the power, by unanimous vote, to refuse to accept the original assignment of any teacher who is provided for in any school under the board's jurisdiction, and upon the notification of such refusal, the county superintendent shall name another teacher for each teacher so refused by the district board. Provided, however, that the county superintendent shall not be required to name more than three teachers for any one place in said school.

No teacher shall have the power to dismiss pupils or close the school during school hours unless in case of emergency without the consent of the district board of school trustees\* or the county superintendent or the county board of education.

A majority of the board of school trustees shall have the power to appoint a janitor for schools under their jurisdiction. One or more of the district board of school trustees may visit the schools under their jurisdiction at least once each month and consult with the teachers and principal of the school as to the progress of pupils, condition and cleanliness of the school, and

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\*NOTE: This section does not give the district board of school trustees authority to order the school closed. It only gives them power to approve the *request of the principal or teacher* to close the school. The principal in turn is subject to the rules of the county board of education adopted under the provisions of Section 25A, page 20.

the grounds belonging to same, and give such aid as in their power for the advancement of said school.

By-law 24.

District boards of school trustees shall meet in the school building on Saturday preceding the day for opening the schools for the scholastic year, have present the principal teacher, and discuss the general policy of conducting the school, and take definite steps toward making the school a real center for the community's civic, educational, and social activities.

1916, ch. 506.

**31A.** The district board of school trustees shall have the care of the buildings and land connected therewith intended for school purposes, also the school apparatus and other school property. They shall attend to all incidental repairs and charge the cost among the incidental expenses of the school, to be paid out of the taxes levied upon the assessable property of the county as provided for in section 26 of this article. Provided that when repairs are to be paid out of county school taxes, the amount to be so expended shall be approved by the county superintendent of schools and authorized by the county board of education, before the repairs are made.

By-law 25.

District boards of school trustees shall meet each year at the call of the chairman of the board at least two months before the date of making the county levy, to consider the condition and needs of the school property, and shall report their findings, together with their recommendations, to the county board of education.

By-law 26.

Immediately on the termination of the school year, or upon the teacher's vacating the school, he or she shall make secure the school house and deliver the keys thereof to the chairman of the district board of school trustees, taking a receipt therefor.

1916, ch. 506.

**31B.** The district board of school trustees shall visit the schools, advise the teachers on questions of discipline, and shall seek in every way to develop public sentiment in support of the schools. In case of dissatisfaction, they may file, with the county board of education, written charges requesting the removal of the principal teacher.

By-law 27.

The district board of school trustees shall attend the annual public exhibition of school work and assist the teacher in determining the comparative merit of each part of the exhibit. They shall announce the decision of the excellence of the individual exhibits and award the prizes whenever given.

1916, ch. 506.

**32.** The district board of school trustees shall see that the water-closets or outhouses connected with the school are kept clean, comfortable, and in a sanitary and hygienic condition.

1918, ch. 203.

1. The county school superintendents of Maryland are hereby

authorized to enlarge the usefulness and increase the efficiency of public property by allowing the use of public school houses for farmers' meetings, public speakings, lectures, entertainments, church festivals, Red Cross meetings, Y. M. C. A. meetings and any other purposes which are for the civic welfare.\*

1918, ch. 203.

2. Said public school houses are to be used for said purposes only on the condition and after written application is made to the county school superintendent having jurisdiction, and that said application is signed by at least three of the reputable and responsible citizens and tax-payers of the county in which said school house is located.

1918, ch. 203.

3. Said school houses are to be used for said purposes only at such times as there are no regular or special school sessions in progress.

1916, ch. 506.

34. No schoolhouse shall be used for any other purpose than public school purposes and school district meetings unless by consent of the county board of education; provided, however, whenever an application is made to the district board of school trustees, signed by twenty-five citizens in the school district where the said school is situated, requesting the use of the school building for a non-partisan gathering of citizens for the presentation and discussion of public questions or for other civil, social, or recreational activities, the said school authorities shall allow the free use of such school building or grounds of same for the purposes enumerated above; provided, however, said meetings shall be held during those hours when the school buildings are not being used for their principal purpose.

1916, ch. 506.

34A. When the citizens of any community are organized into a non-partisan, non-sectarian, non-exclusive association for the presentation and discussion of public questions, such organiza-

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\*NOTE: It will be observed that this section *authorizes* but does not *require* the county superintendent to open the school buildings for the purposes indicated, while Section 34 above *requires* that the buildings be opened, upon request of twenty-five citizens, for meetings that are non-partisan, non-sectarian, and non-exclusive in character.



tions, upon request to the county board or the trustees of any school, may, in the discretion of the said authorities, have the free use of any school building in this State, for weekly, bi-weekly, or monthly gatherings, or at such times as the citizens' organization shall request or designate; provided, however, said meetings shall be held during those hours when the school buildings are not being used for their principal purpose.

1916, ch. 506.

**34B.** The trustees of any schools, or the county board of education, may provide for the free and gratuitous use of schoolhouses for such other civic, social, and recreational activities, as in their opinion do not interfere with the principal use of the said school buildings or properties.

1916, ch. 506.

**34C.** The person or persons making application for the use of a schoolhouse for a public meeting, shall be responsible for all damage to the property occurring at such meeting, ordinary wear and tear excepted, and upon failure of the person or persons to respond in damages for any such injury to the property, the county board of education or the district board of school trustees in charge of the schoolhouse may refuse all future applications for the wider use of the property until such injury is repaired, without expense to the board in charge of the property. It shall be the duty of the person or persons making application for the use of a schoolhouse for a public meeting place, to place the said schoolhouse after said meeting in as clean a condition as it was before said meeting, and any failure upon the part of said person or persons, to whom permission has been granted to hold a meeting, to place said schoolhouse after said meeting in as clean a condition as it was when said schoolhouse was turned over to said person or persons for said meeting, will warrant said school authorities in refusing to allow any further use of said schoolhouse to the same parties.

1916, ch. 506.

**35.** No new schoolhouse district shall be formed containing less than fifty children between the ages of six and fourteen years; nor shall any new schoolhouse district be formed if any one of the



old districts affected has, after the formation of the new school-house district, less than fifty children between the ages of six and fourteen years, except in such unusual instances as may be approved by the State Superintendent of Schools.

### CHAPTER 7—Schools.

1916, ch. 506.

42. The schools under the jurisdiction of the county board of education shall be numbered, No. 1, 2, 3, and so forth, of their respective election districts.

1916, ch. 506.

43. Elementary schools shall be kept open for not less than one hundred and eighty (180) actual school days and for ten months in each year, if possible, and shall be free to all white youths between six and twenty years of age.

1916, ch. 506.

44. In every elementary school there shall be taught good behavior, reading, spelling, penmanship, arithmetic, oral and written English, geography, history of the United States and of Maryland, community civics, hygiene and sanitation, and such other branches as the State Board of Education may from time to time prescribe.

1904, ch. 584.

\* 45. The nature of alcoholic drinks and narcotics, with special instruction as to their effects upon the human system, in connection with the several divisions of the subjects of physiology and hygiene, shall be included in the branches of study taught in the common schools, and shall be taught to and studied by all pupils whose capacity will admit of it, in all departments of the public schools of the State, and in all educational institutions supported wholly or in part by money from the State; and said study shall be taught to and studied by pupils in said schools as thoroughly and in the same manner as other like branches are there taught and studied, with text-books in hands of pupils, where other like branches are thus studied.

1886, ch. 495.

\* 46. It shall be the duty of boards of county school commissioners, and of the board of commissioners of public schools of

Baltimore city, county superintendents, superintendents of public schools of Baltimore city, and boards of all educational institutions receiving aid from the State to enforce the provisions of the preceding section.

47. Whenever a school numbers more than forty children in average attendance, an assistant may be employed by the county board of education, in their discretion; and for every additional forty children, one teacher may be appointed.

1916, ch. 506.

48. Whenever the average daily attendance in any school for any two consecutive terms is less than 12 pupils the said school may be closed by the county board of education, and transportation provided, in the discretion of the board, for the pupils.

1916, ch. 506.

49. There shall be held in each school, once a year, a public exhibition of school work, of which due notice shall be given, that parents and others interested in education may attend.

1916, ch. 506.

50. Schools shall be kept open each weekday, except Saturday and holidays, for six hours.

1872, ch. 377.

\* 51. Any person who shall disturb any public school in session shall, upon conviction thereof before a justice of the peace, be deemed guilty of a misdemeanor, and shall forfeit and pay twenty dollars, to be collected as other fines, to be paid to the board of district school trustees for the benefit of the schoolhouse district; or said offender shall be imprisoned not exceeding thirty days, or both, in the discretion of the justice of the peace.

1916, ch. 506.

52. The school year shall be divided into four terms, which shall be designated fall term, winter term, spring term, and summer term; and the time of beginning and closing each term shall be regulated by the county board of education; provided, that the financial reports of the schools of the State shall be made up and rendered to the thirty-first day of July, inclusive, of each and every year; and provided, further, that there shall be no change

in or encroachment upon the holidays and vacation set forth and established in the following paragraph:

The months of July and August shall be vacation throughout the whole State, and the following days shall be holidays, viz: Thanksgiving Day, and the day after; from Christmas Eve to the first day of January, inclusive; and from the Friday before Easter to the Monday after Easter, inclusive. On Washington's Birthday the schools shall devote a portion of the day to exercises bearing on the life and services of "The Father of Our Country." Maryland Day, Arbor Day, and Memorial Day shall be observed at such a time and in such manner as the State Board of Education may direct.

By-law 28.

Each county board of education shall hold annually, unless excused by the State Board of Education, an athletic, field, school rally, and exhibit day, to which patrons and friends of education shall be invited.

## CHAPTER 8—Teachers' Certificates, Salaries and Pensions.

1916, ch. 506.

53. No person shall be employed as county superintendent, assistant superintendent, supervisor, principal, or teacher unless such person shall hold a certificate issued by the State Superintendent of Schools and for the grade required for the position, but any county of the State may require as a condition of employment a higher standard for a certificate of a similar kind and grade than is required by the State. Provided that all teachers' certificates and diplomas in force at the time this section goes into effect shall continue in force for the full time for which they were issued or are valid, and shall remain valid for the grade and position for which issued. Provided, that no renewal or extension of such certificates shall be granted under this section by the State Superintendent of Schools, nor shall the renewal or extension of any certificate by a county superintendent expiring between the time this section goes into effect and September the thirtieth, 1916, be valid for more than one year. Provided, also, that no certificate issued by a county superintendent of schools between the time this section goes into effect and September thirtieth, 1916, shall be valid for more than one year. Provided, further, that no certificate heretofore issued shall be valid after this section goes into effect, for appointment to the position



of county superintendent, assistant superintendent, supervisor, high school principal, or elementary school principal in elementary schools having three or more teachers, including the principal, except in case of persons holding the foregoing positions at the time this section goes into effect, and then valid only for the particular position they are then holding and in the particular county.

1916, ch. 506.

54. The examination and certification of teachers, after September thirtieth, 1916, shall be a State function, and all examinations for teachers' certificates shall be on uniform questions prepared and sent out by the State Superintendent of Schools, either in person or through his assistants. All examination papers shall be forwarded to, read and graded by the State Superintendent of Schools, either in person or by his assistants. The county superintendent shall render such assistance in conducting examinations as may be required by the State Superintendent of Schools. All details connected with examinations for teachers' certificates, the renewal of the same, the granting of such on certificates or diplomas, and the conditions under which certificates, diplomas, and degrees of institutions of the State of Maryland and of other states will be recognized, not provided for in this article, shall be determined, subject to the rules and regulations of the State Board of Education, by the State Superintendent of Schools. He shall issue a bulletin containing full information of the time and place, the number and kinds of examinations, the rules and regulations controlling examinations, and the issuance of certificates on credentials or diplomas.

1916, ch. 506.

55. The certificates hereafter to be granted shall be:

(1) A certificate in administration and supervision, valid throughout the State for three years, renewable on evidence of successful experience and professional spirit and required of all county superintendents, may be issued to persons who are graduates of a standard college or university, or who have had the equivalent in scholastic preparation; who have completed in addition one graduate year's work in education at a recognized university, including public school administration, supervision, and method of teaching, or who have had the equivalent in scholastic



preparation, and who have had two years' experience as a teacher.

(2) A certificate in elementary school supervision, valid throughout the State for three years, renewable on evidence of successful experience, and required of assistant superintendents and supervisors, may be granted to persons who are graduates of a two years' standard normal school, or who have had the equivalent in scholastic preparation; who have completed in addition two full academic years' work at a standard college or university, not less than one-half of which has been in academic branches related to the elementary school and the remaining one-half in advanced elementary school methods and supervision, or who have had the equivalent in scholastic preparation, and who have had four years of teaching experience in elementary schools. Such a certificate may also be granted to persons who are graduates of a four years' course of a standard college or university, who have completed one full year's work at a recognized college or university in education, including elementary school methods and supervision, and who have had four years' teaching experience in elementary schools.

(3) A certificate in supervision (special), valid throughout the State for three years, renewable on evidence of successful experience and professional spirit, and required of special supervisors in physical training, music, fine and applied arts, domestic art and science, manual or industrial training, or agriculture, may be granted to persons who have completed a four years' high school course or the equivalent; who have had four years of additional work of a college grade, approximately one-half of which was in general academic subjects, and approximately one-half of which was in the special branch or branches for which the certificate is issued, including not less than three hundred recitation hours in the theory of education and in the art of teaching and supervising their particular specialty, and who have had four years of experience in teaching, two of which were in their specialty.

(4) A high school principal's certificate valid throughout the State for three years, renewable on evidence of successful experience and professional spirit, and required in all state-aided high schools and schools rated as high schools by the State Superintendent of Schools, may be granted to persons who are gradu-

ates of a standard college or university, or who have had the equivalent in scholastic preparation; who have had in addition a full year's graduate work at a standard university, approximately one-third of which was in advanced study related to high school branches and approximately two-thirds in education, including high school methods, supervision, and administration, or who have had the equivalent in scholastic preparation, and who have had two years' teaching experience. Provided that for principals of high schools of the second group, no teaching experience shall be required.

(5) A high school teacher's certificate in the regular academic studies, valid throughout the state for three years, renewable on evidence of successful experience and professional spirit, and required in all state-aided high schools and all schools rated as high schools by the State Superintendent of Schools, may be granted to persons who are graduates of a standard college or university, or who have had the equivalent in scholastic preparation; provided that during their college course at least two high school branches were continuously pursued for two years; and provided that they had not less than two hundred recitation hours of instruction in education, including the aims of secondary education, and in the methods, observation, and practice teaching of high school studies; provided further that the State Superintendent of Schools may in his discretion certificate persons possessing the foregoing qualifications to teach in the elementary schools.

By-law 29.

A graduate of a standard college who pursued the prescribed courses in Education, received the high school teacher's certificate for academic subjects, and who fails to obtain a high school teaching position, is authorized to teach in the elementary schools. In such cases the high school certificate shall be recognized as an elementary school certificate of the first grade, and the teacher shall receive as salary not less than the amount paid teachers holding elementary school certificates of the first grade.

By-law 30.

REGULATIONS GOVERNING COLLEGE COURSES IN EDUCATION FOR HIGH SCHOOL TEACHERS

1. Colleges whose graduates are given high school teachers' certificates without examinations shall make provision for at least the following courses:
  - I. History of Education
  - II. Principles of Education
  - III. Educational Psychology
  - IV. Principles of Teaching, and Special Methods in High School Subjects
  - V. High School Organization and Classroom Management
2. DEFINITION OF COURSES:
  - I. *History of Education*—This course shall introduce the student to present day problems of Education by means of a study of the historical development of educational theory and practice. Special emphasis shall be placed upon the modern period. The course shall include a sketch of existing school systems and their development. Stress shall be

placed upon the historical development of American secondary education.

- II. *Principles of Education*—This course shall include the aims and values in Education, and the more general biological, psychological, and sociological principles governing the process of education, and the application of these principles to the problems of the secondary curriculum.
  - III. *Educational Psychology*—This course shall cover the mental development of children during the school ages, special attention being paid to the instincts, the psychology of learning, and individual differences and adolescence.
  - IV. *Principles of Teaching and Special Methods*—This course shall include the general technique of instruction and special methods, with special reference to the high school. In connection with the course, there shall be supervised observation of high school teaching under typical school conditions, and at least 30 periods of supervised practice in teaching under such conditions. The course shall treat the preparation of lesson plans, including the actual preparation of plans for the lessons taught in the practice teaching.
  - V. *High School Organization and Classroom Management*—This course shall include a consideration of the following and kindred topics: class management; school discipline; student government; student activities; differentiation of courses; electives; the Junior High School; program making; supervised study; school hygiene and sanitation; community relations; and the measurement of the results of teaching.
3. Not fewer than four of the five courses named, including IV and V, shall be taken by each applicant, and of the remaining three courses, course III is recommended.
  4. The instruction shall be given in at least full semester courses, each of not less than two recitation hours per week.
  5. The number of recitation hours in each course shall be officially certified by the college to the State Superintendent of Schools upon blanks furnished by him.
  6. The courses in Education shall be taken as a regular part of the undergraduate work; or, if done subsequently thereto, they shall be pursued under similar regular academic conditions.
  7. Two years of college work shall be required for entrance to college courses in Education. It is understood that this regulation may be waived by the college for mature students who shall not, however, exceed in number 10 per cent of the enrollment in any class.
  8. The work in Education shall be accepted by the State Superintendent of Schools only when the instruction is under the direction of a regular member of the teaching staff whose specific duty is to give this instruction, and who shall have successfully completed one full year's graduate work in Education at a standard college or university.
  9. While courses in general psychology, logic, ethics, aesthetics, philosophy, history of philosophy, sociology, and the like, may properly make up a part of the student's college course, none of these courses or any other course not lying strictly within the field of Education shall be accepted as meeting any part of the 200 recitation-hour requirement in Education. It is recommended that students preparing for high school teaching take when possible the college course in ethics and general psychology.
  10. The law requires actual class attendance, with credit earned, for 200 recitation hours in Education for the high school teacher's certificate. In scheduling courses in Education, the college should allow a margin for necessary absences in order that students may not fall short of the 200 recitation hours.
  11. For the use of the students in Education, at least one hundred volumes of good reference books, covering the courses outlined in the foregoing, shall be provided in the college library, and shall be easily accessible to the students taking the courses.

#### By-law 31.

College courses in education for high school teachers shall require two years' college work for entrance. It is understood that this regulation may be waived for mature students, not to exceed ten per cent of the registration in any class.

College courses in education for high school teachers shall be differentiated from courses in education for the elementary school teachers.

College courses in education for high school teachers shall be taught by instructors who have had at least one full year's graduate work in education in a standard college or university.

Approved courses in education for elementary school teachers shall be taught by instructors who under the present school law meet at least the professional requirements for a certificate in elementary school supervision.



(6) A high school teacher's certificate in the special branches of music, manual or industrial training, domestic science and art, fine and applied art, commercial branches or agriculture, valid throughout the State for three years, renewable on evidence of successful experience and professional spirit, and required in all state-aided high schools and schools rated as high schools by the State Superintendent of Schools, may be granted to persons who have completed a four years' high school course or the equivalent, who have had two years of additional work of a college grade, approximately one-third of which was in general academic subjects and approximately two-thirds in the special branch or branches for which the special high school certificate is issued, including as a part of their preparation not less than two hundred recitation hours in the theory of education and in the art of teaching their specialty. Such a certificate may also be granted to persons having an equivalent academic and professional preparation on examination of equivalent standard, provided that this subsection shall not go into effect until September first, 1919.

(7) An elementary school principal's certificate, valid throughout the State for three years, renewable on evidence of successful experience and professional spirit and required in all elementary schools having three or more teachers, including the principal, may be granted to persons who have had a four years' high school course or the equivalent; who have completed a two years' standard normal school course, or the equivalent, who have had in addition not less than a full half-year's work at a recognized college or university in elementary school methods, supervision, and administration, and who have had three years of teaching experience in the elementary schools. Such a certificate may also be granted to persons of equivalent academic and professional preparation on examination of equivalent standard.

(8) An elementary school teacher's certificate of the first grade, valid for three years in the elementary schools of the State, and renewable on evidence of successful experience and professional spirit, may be issued to persons who are graduates of a four years' high school or the equivalent, and who have completed a two-year course in a standard normal school or the equivalent. Such a certificate may also be granted to persons



of equivalent academic and professional preparation on examination of equivalent standard.

(9) An elementary school teacher's certificate of the second grade, valid for two years in the elementary schools of the State, may be issued to graduates of standard high schools having a four years' course, or the equivalent, on examination in reading, spelling, penmanship, arithmetic, oral and written English, geography, history of the United States and of Maryland, community civics, hygiene and sanitation, music, drawing, hand-work, the theory and practice of teaching, and such other subjects\* as may be required by the State Board of Education. Provided that no applicant shall be granted such a certificate who has not completed at least six weeks of professional preparation in a standard institution, nor shall such certificate be issued to any person under eighteen years of age. Provided further, that this certificate may be renewed for a period of two years on evidence of successful experience and completion of not less than six weeks of additional academic and professional preparation in a standard institution. This certificate may be renewed for a second time for a period of three years, next succeeding or otherwise, on evidence of successful experience and completion of not less than six additional weeks of academic and professional preparation in a standard institution, and so on for an indefinite number of three-year periods, successive or otherwise; but this certificate may not be issued a second time to the same person on examination.

By-law 32.

A teacher holding a second grade certificate may earn one of the first grade in either of the two following ways:

I. FIRST OPTION. By School Credits

By completing the course in a standard two year normal school, or by completing any combination of courses and studies equivalent to such standard normal school course. In evaluating courses and credits, a full program of studies (90 recitation hours) in an approved summer school of six weeks will be counted one-fourth of a year's work; the first three years of *successful* experience *under supervision* will be counted as one-fourth of a year's work in lieu of practice teaching required in a normal school course; and each book of the Reading Circle completed will be counted equal to one of the three courses usually pursued in a six-week summer school, so that three such books completed in any one year or in different years will be counted equal to an approved summer school of six weeks. The six weeks of professional training required for the second grade shall also be counted as one-fourth of a year of the normal school course.

II. SECOND OPTION. By Examination

By raising the average of the grades attained in the elementary school subjects prescribed for a second grade certificate to 85 per cent; and

By presenting evidence of three years of *successful* teaching experience; and  
By passing an examination in a group of three subjects representing the equivalent of a standard two-year normal school course, as follows:

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\*NOTE: To these subjects the State Board of Education has added agriculture.

1. *Principles of Teaching.*
2. *Special Methods*—choice of one,
  - a. Primary Grades.
  - b. Grammar Grades.
  - c. Rural School.
3. *School Organization and Management.*

(10) An elementary school teacher's certificate of the third grade, valid for two years in the elementary schools of the State, may be issued to persons having had less than a standard high school course, on examination in reading, spelling, penmanship, arithmetic, oral and written English, geography, history of the United States and Maryland, community civics, hygiene and sanitation, the theory and practice of teaching, and such other subjects\* as may be required by the State Board of Education. Provided that no applicant shall be granted such a certificate who has not completed at least six weeks of professional preparation in a standard institution, nor shall such certificate be issued to any person under eighteen years of age. Provided, that this certificate may be renewed for one year on presentation of evidence of successful experience and completion of not less than six weeks of additional academic and professional preparation in a standard institution. Provided further, that this certificate may be renewed for a second time for a period of three years, next succeeding or otherwise, on evidence of successful experience and completion of an additional six weeks of academic and professional preparation in a standard institution, and so on for an indefinite number of three-year periods, successive or otherwise; but this certificate may not be issued a second time to the same person on examination.

By-law 33.

A teacher holding an elementary school teacher's certificate of the third grade may earn one of the second grade in either of the two following ways:

I. **FIRST OPTION.** By School Credits

By completing the course in a standard four-year high school, and passing the examination in the remaining elementary school subjects (music, drawing, and handwork) prescribed in the law for a second grade certificate.

Or, by completing such courses at approved summer schools or in any standard institution during the regular school year, or by completing Reading Circle work with credits as outlined for advancing from second to first grade certificate, or by earning any combination of such credits together equivalent to a standard four-year high school course and passing the examination in the three remaining subjects (music, drawing, and handwork) prescribed in the law for a second grade certificate.

II. **SECOND OPTION.** By Examination

By passing examination upon a group of four subjects representing the fundamentals of a standard four-year high school course, as follows:

1. *Science*; general science, including laboratory method in teaching it.
2. *History*; advanced American and European history, including current events.

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\*NOTE: To these subjects the State Board of Education has added agriculture.

3. *English*; rhetoric, and English and American literature.
  4. *Mathematics*; advanced arithmetic, including the applications of simple algebra and of plane geometry to arithmetic.
- And by passing the three remaining elementary school subjects (music, drawing, and handwork) prescribed in the law for a second grade certificate.

(11) County superintendents of schools may, with the approval of the State Superintendent of Schools, in cases of emergency, issue provisional certificates of the different kinds and grades, but a provisional certificate shall be valid only until the next state examination, and a provisional certificate may not be renewed unless such renewal is approved by the State Superintendent of Schools.

1916, ch. 506.

56. Any county board of education may, on the recommendation of the county superintendent, suspend any teacher, principal, supervisor, or assistant superintendent for immorality, dishonesty, intemperance, insubordination, incompetency, or wilful neglect of duty, and may recommend to the State Superintendent of Schools the revocation of the certificate of such person, stating in writing the grounds for such recommendations, and giving an opportunity, upon not less than ten days' notice, to be heard in defense, in person or by counsel, and the State Superintendent of Schools may order such investigations as he may deem necessary. If he approves the recommendation, the teacher's certificate shall be revoked and the teacher shall be dropped from the service.

1916, ch. 506.

57. The State Superintendent of Schools shall keep a full and complete record of the academic preparation, the professional training and teaching experience of each applicant to whom a certificate is issued. He shall keep a complete record of the credentials, certificates or diplomas upon which certificates may have been issued or renewed, and shall keep on file for at least six months all written examination papers. He shall keep a complete record and file of all certificates issued and of all certificates in force. He shall make known to county superintendents the names of teachers holding certificates who are unemployed, but seeking position, and no provisional certificate may be issued by a county superintendent when it is possible to employ persons holding regularly issued certificates; nor shall persons be employed holding third grade certificates, when it is



possible to employ persons holding second grade certificates, nor shall persons be employed holding second grade certificates when it is possible to employ persons holding first grade certificates.

1916, ch. 506.

58. Teachers' certificates shall be of two classes: First class and second class. All teachers' certificates issued by the State Superintendent of Schools shall, when issued, be of the second class, and shall be subject to classification by the county superintendent. The certificates of all the teachers employed shall be classified by the county superintendent not less than once in two years. In determining the class of the certificate of a particular teacher, the following points are to be considered: (a) Scholarship; (b) executive ability; (c) personality, and (d) teaching power. The county superintendent may add such other requirements as are approved by the State Superintendent of Schools. The county superintendent shall keep a record of the kind, grade, and class of certificate held by each teacher employed in the county, and on or before the first day of October each year, he shall submit to the county board of education a list of all the teachers employed, together with the kind, grade, and class of their certificates, and a copy of this report shall be transmitted to the State Superintendent of Schools.

By-law 34.

1. Every teacher on his or her first appointment and before entering upon the duties of the position shall take the following oath of office, a copy of which shall be kept in the office of the County Board of Education.

I.....having been appointed a teacher in the public schools of.....County, State of Maryland, do swear (or affirm) that I will obey the school law of the State of Maryland and all rules and regulations governing my position as teacher, passed in pursuance thereof by the proper authority; that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, discharge the duties of a teacher in the public schools of said county, including attendance on teachers' institutes and associations when legally called thereto, and will honestly and correctly make all reports as required by law or the school authorities of said county.

State of Maryland.....County, to wit: Teacher

Sworn (or affirmed) before the subscriber.....by.....teacher, who in my presence has thereto affixed his.....signature this.....day of.....19.....

2. It shall be the duty of teachers to see that the school rooms are swept, dusted, and ventilated every day, and heated when necessary, and open for the reception of pupils, at least twenty minutes before the hour of opening, and to see that the house is kept clean and comfortable at all times. Sweeping shall be done after the school has been dismissed each day, and dusting before the school assembles each morning. Funds sufficient to compensate for this service shall be provided by the county board of education, and payment for this work, when done by the teacher, shall not be considered a part of the minimum salary required by law.

3. Teachers shall organize and conduct their schools in accordance with the course of study prescribed by the State Board of Education and with supplementary suggestions and regulations issued by the county board of education.

4. Teachers and pupils are prohibited from using intoxicants or tobacco in any form on the school premises during school hours.



5. Teachers shall keep a record of the daily attendance of themselves and of each pupil in a register approved by the State Board of Education and provided by the county board of education for that purpose. This register shall be preserved in good condition and open during school hours for the inspection of the county superintendent, members of the county board of education, the supervisor, the district school trustees, and the attendance officer, whenever desired. Failure by teachers to keep an accurate register and to make out required reports shall be sufficient cause for withholding salaries and other money due them until these requirements are met.

6. No person shall act as a substitute for a teacher for more than three days unless such person shall hold a teacher's certificate. Salary may be withheld if this regulation be violated. When it is necessary for a teacher to be absent for any reason, she shall report to the county superintendent, who shall designate a substitute. If a teacher absents himself contrary to this regulation, he shall forfeit his salary for the time lost, and incur such other penalty as the county board may prescribe. No substitute who was not assigned to the school by the county superintendent, or whose assignment is not approved by him, shall be entitled to compensation.

7. For each day's absence from school without good and sufficient reasons accepted by the county board of education, the teacher shall forfeit the proportionate amount of salary for the time so lost. Every regularly employed teacher who shall submit satisfactory proof to the county board of education, shall be allowed not more than twenty days of the school year for actual sickness; and the county board of education shall pay to the teacher, for the number of days thus lost, one-half of the salary received for the same number of days when in actual service. No time lost by a teacher, whether from sickness or any other cause, shall be made up by teaching on Saturdays or legal holidays or at extra hours. The days of absence and causes therefor shall be noted in the monthly report, and the secretary of the county board of education shall keep a correct record of the same in appropriate form.

1916, ch. 506.

59. The salaries of teachers shall hereafter be paid monthly, during the school year, on or before the tenth day of the calendar month succeeding that for which the salary is due. No teacher shall be entitled to receive payment for services unless all the current records of the school have been kept with care and accuracy, and unless all reports required by the county superintendent of schools have been properly made and submitted.

1918, ch. 106.

60. No white teacher regularly employed in a public school of the State of Maryland shall receive a salary of less than four hundred dollars (\$400) per school year. Provided, if such a teacher holds a third grade certificate of the first class and has taught in the public schools of the State of Maryland for a period of three years, such teacher shall receive a salary of not less than four hundred and twenty-five dollars (\$425) per school year. Provided, further, if such a teacher holds a third grade certificate of the first class and has taught in the public schools of Maryland for a period of five years, such teacher shall receive a salary of not less than four hundred and fifty dollars (\$450) per school year. Provided, that no white teacher regularly employed in a public school of the State of Maryland, holding a third grade certificate of the first class and who has taught in the public schools of the State of Maryland for a period of eight years, shall receive a salary

of less than four hundred and seventy-five dollars (\$475) per school year.

No white teacher regularly employed in a public school of the State of Maryland, holding a second grade certificate, shall receive a salary of less than four hundred and fifty dollars (\$450) per school year. Provided, if such a teacher holds a second grade certificate of the first class and has taught in the public schools of the State of Maryland for a period of three years, such teacher shall receive a salary of not less than four hundred and seventy-five dollars (\$475) per school year. Provided, if such a teacher holds a second grade certificate of the first class and has taught in the public schools of the State of Maryland for a period of five years, such teacher shall receive a salary of not less than five hundred dollars (\$500) per school year. Provided, further, if such a teacher holds a second grade certificate of the first class and has taught in the public schools of the State of Maryland for a period of eight years, such teacher shall receive a salary of not less than five hundred and twenty-five dollars (\$525) per school year.

No white teacher regularly employed in a public school of the State of Maryland holding a first grade certificate, shall receive a salary of less than five hundred dollars (\$500) per school year. Provided, if such a teacher holds a first grade certificate of the first class and has taught in the public schools of the State of Maryland for a period of three years, such teacher shall receive a salary of not less than five hundred and twenty-five dollars (\$525) per school year. Provided, further, if such a teacher holds a first grade certificate of the first class and has taught in the public schools of Maryland for a period of five years, such teacher shall receive a salary of not less than five hundred and fifty dollars (\$550) per school year. And provided, further, if such a teacher holds a first grade certificate of the first class and has taught in the public schools of the State of Maryland for a period of eight years, such a teacher shall receive a salary of not less than six hundred dollars (\$600) per school year.

No white elementary school principal, holding an elementary school principal's certificate, shall receive a salary of less than five hundred and fifty dollars (\$550) per school year; provided, that if such principal holds an elementary school principal's certificate of the first class, and has taught in the public schools of

the State of Maryland for a period of three years, such principal shall receive a salary of not less than five hundred and seventy-five dollars (\$575); provided, further, that if such principal holds an elementary school principal's certificate of the first class, and has taught in the public schools of the State of Maryland for a period of five years, such principal shall receive a salary of not less than six hundred dollars (\$600); and provided, further, that if such principal holds an elementary principal's certificate of the first class, and has taught in the public schools of the State of Maryland for a period of eight years, such principal shall receive a salary of not less than six hundred and fifty dollars (\$650).

The boards of county commissioners of each county shall levy sufficient funds to meet the scale of salaries provided for in this section; and the salary of no teacher regularly employed at the time this section goes into effect shall be diminished by reason of any of its provisions, but every teacher or school principal shall be entitled to any increase in salary that may herein be granted, from the time this section goes into effect.

1916, ch. 506.

62. Whenever any person in this State has taught in any of the public or normal schools thereof twenty-five years, and has reached the age of sixty years, and his or her record as such teacher has been without reproach, and by reason of physical or mental disability or infirmity is unable to teach longer, and who, moreover, is without the means of comfortable support, such person may lay his or her case before the State Superintendent of Schools, supported by the recommendation of the county board of education of the county in which such person has last taught, and the State Superintendent of Schools shall proceed to consider the same, and if the facts are found as above stated such person shall be placed on a list, to be known as "Teachers' Retired List," and every person so placed on this list shall be entitled to receive a pension from the State of two hundred dollars per annum, to be paid quarterly by the treasurer of the State Board of Education; so long as such pensioner is without other means of comfortable support, and the State Superintendent of Schools may in extraordinary cases waive the age limit as herein designated. Provided, however, the applicant has all the other qualifications as herein specified. The treasurer of the State Board of Education



shall, on or before the last day of September, December, March and June of each year, certify to the Comptroller the sum of money necessary for the payment of said pensions for the current quarter as provided by this section, and the Comptroller shall, on or before the first day of the months of January, March, June, and October, issue his warrant on the Treasurer of the State in favor of the Treasurer of the State Board of Education for the amount so certified. On receipt of the warrant of the Comptroller the Treasurer of the State of Maryland shall immediately pay the amount due on said dates to the Treasurer of the State Board of Education.

By-law 35.

Recommendations made by the State Superintendent of Schools of teachers for the Teachers' Retired List shall be approved by the State Board of Education before any new name is placed upon the list. There shall be a careful revision of the list, under the direction of the State Board of Education at least once in two years.

## CHAPTER 9—Pupils.

1916, ch. 506.

63. All white youths between the ages of six and twenty-one years shall be admitted into such public schools of the State, the studies of which they may be able to pursue; provided, that whenever there are grade schools, the principal and the county superintendent shall determine to which school pupils shall be admitted.

1916, ch. 506.

64. The district board of school trustees shall have power to suspend and expel pupils for cause; provided, that an appeal shall lie to the county superintendent, whose decision shall be final.

By-law 36.

1. Under no circumstances shall an assistant teacher inflict corporal punishment on a pupil. Cases seeming to require corporal punishment shall be referred to the principal, who may administer corporal punishment as a last resort.

2. Pupils shall not be stricken on or about the head in any way, nor shall they in any manner be subjected to any brutal or unreasonable punishment.

3. The alternative to corporal punishment in case of last resort is the temporary suspension from school by the principal, with notice to this effect to the parent, asking an interview before the pupil may return. In such cases, the trustees, whose approval is required to continue the suspension or to make it permanent, shall be notified at once of the suspension and the offense.

1916, ch. 506.

65. Children living remote from the school of the district in which they reside may attend school in an adjoining district, with the consent of the county superintendent of schools.



1872, ch. 377.

\* 66. Every child, before being admitted to any public school, shall produce a certificate from a regular physician that he has been properly vaccinated.

### Physical Education.

1918, ch. 269.

1. There shall be established and provided in all the public schools of this State and in all schools maintained or aided by this State physical education and training for pupils of both sexes during the following minimum periods: A. In the elementary public schools at least fifteen minutes in each school day and also at least one hour of directed play outside of regular class-room work in each school week. B. In public high schools at least one hour in each school week and also at least two hours of directed play or athletics for all pupils outside of regular class-room work in each school week.

2. The State Board of Education upon recommendation of the State Superintendent of Schools shall appoint a Supervisor of Physical Education whose duty it shall be to direct and carry out the provisions of this act under the direction of the State Superintendent of Schools. The salary of such supervisor shall be fixed and paid by the State Board of Education out of any funds in its possession available for this purpose.

The State Board upon recommendation of the State Superintendent of Schools is hereby authorized and directed to appoint such other assistants both clerical and professional as shall be necessary in the administration and supervision of physical education; and shall make such by-laws and other regulations as shall be necessary to carry into effect the provisions of this act.

3. Immediately after his appointment the Supervisor of Physical Education, under the direction of the State Superintendent of Schools, shall organize his work and shall formulate the necessary and proper plans, courses and regulations for carrying out the provisions of this act which when approved by the State Board of Education shall be followed in providing physical education and training as required under section 1 of this act.

**Vocational Education.**

1918, ch. 72.

1. The State of Maryland hereby accepts all of the provisions and benefits of an Act passed by the Senate and House of Representatives of the United States of America, in Congress assembled, entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February twenty-third, nineteen hundred and seventeen.

1918, ch. 72.

2. The State Treasurer is hereby constituted and appointed the custodian of the moneys paid to the State of Maryland for vocational education, under the provisions of such Act, and such moneys shall be paid out in the manner provided by such Act for the purposes therein specified.

1918, ch. 72.

3. The State Board of Education of the State of Maryland is hereby designated as the State Board for the purpose of carrying into effect the provisions of such Act, and is hereby authorized and directed to cooperate with the Federal Board of Vocational Education in the administration and enforcement of its provisions, and to perform such official acts and exercise such powers as may be necessary to entitle the State to receive its benefits, including the power to prescribe standards of instruction and qualifications for teachers employed in schools receiving benefits under this Act, and to issue certificates for such teachers.

1918, ch. 72.

4. The State Board of Education shall have full power to represent the State in any and all matters in reference to the expenditure, distribution, and disbursements received from the United States Government in said State, and to appropriate and use said moneys in whatever way will in their discretion best subserve the interests of the State and carry out the spirit and intent of said Act of Congress in conformity with its provisions.

1918, ch. 72.

5. Such Board is hereby authorized to make such expenditures for the actual expenses of the Board for the salaries of assistants and for such office and other expenses as, in the judgment of the Board, are necessary to the proper administration of this Act.

#### CHAPTER 10—Text Books and School Supplies.

1872, ch. 377.

\* 67. School books shall contain nothing of a sectarian or partisan character.

1916, ch. 506.

68. The Board of Public School Commissioners of Baltimore City and each county board of education shall adopt and purchase, subject to the provisions of this article, text books, supplementary readers, materials of instruction, stationery, and school supplies for use in the public schools of said city and of the several counties of the State. When so purchased, the necessary text books, supplementary readers, materials of instruction, stationery and school supplies shall be furnished free of cost for use in the public schools of the State, provided that no regular text books, or series of text books shall be changed more often than once in three years. It shall be the duty of the Board of School Commissioners of Baltimore City and of the county boards of education of the several counties to furnish text books in ample and sufficient quantities to the several grades in the public schools; thereafter supplementary readers, materials of instruction, stationery, and school supplies shall be furnished in adequate quantities to the several grades in the public schools, provided that parents or pupils may purchase their text books, stationery, and school supplies, if they desire to do so. The said respective boards shall adopt means for the purchase of text books, supplementary readers, materials of instruction, stationery, and school supplies by competitive bidding, and at the lowest possible price consistent with quality, and each of said boards shall furnish annually to the State Superintendent of Schools the title, the name of the publisher, and the net price of each text book and supplementary reader purchased under the provisions of this article.



1916, ch. 506.

69. The said several boards shall authorize the delivery, subject to the provisions of this article, of text books, supplementary readers, materials of instruction, stationery, and school supplies, and shall provide for the issuing, safekeeping and care of the same under such rules and regulations as they may severally adopt:

By-law 12.

The county board of education shall prepare rules and regulations for the distribution and care of books furnished to pupils, and shall attach a copy of the same to each book so furnished. Failure of any pupil to comply with such regulations shall justify the principal in withholding from him all books and school supplies, until restitution is made. Every teacher shall keep an account of the books belonging to the school furnished each pupil for use, and shall require the return of the books when the pupil leaves school. At the end of each school year the principal shall furnish to the county board of education an inventory of books and stationery on hand, and shall be responsible for losses of same when not explained to the satisfaction of the county board of education.

1916, ch. 506.

70. The said several boards shall keep a separate account of all money received from the State for the purchase of text books, supplementary readers, materials of instruction, stationery, and school supplies and of all money expended for such purposes. They shall report the same annually to the State Superintendent of Schools and in their annual report addressed to the people required by law. No money received from the State for the purchase of text books, supplementary readers, materials of instruction, stationery, and school supplies shall ever be used for any other purpose or spent in any other way than provided for in the two preceding sections.

1916, ch. 506.

71. The entire sum appropriated by the General Assembly for the purchase of text books, supplementary readers, materials of instruction, stationery and school supplies, shall be annually apportioned on or before the last day of September by the Comptroller to the Board of Public School Commissioners of the City of Baltimore and to the county boards of education of each of the several counties according to and on the basis of the average enrollment in the public schools of the City of Baltimore, and of each of the several counties during the preceding school year as certified to by the State Superintendent of Schools, and the Comptroller shall on or before the first day of October draw his warrant on the Treasurer of the State of Maryland for the

respective amounts due to the Board of Public School Commissioners of Baltimore City and the treasurer of the county board of education of the several counties. On the receipt of the warrant of the Comptroller, the Treasurer of the State of Maryland shall immediately pay the respective amounts due to the Board of Public School Commissioners of the City of Baltimore and the treasurer of the county board of education of the several counties. The Board of Public School Commissioners of the City of Baltimore and the county boards of education are free to spend more for text books, supplementary readers, materials of instruction, stationery, and school supplies than the amount received from the State for such purpose.

## CHAPTER 12—The State Normal Schools.

1916, ch. 506.

82. The State Board of Education and the State Superintendent of Schools shall be the Board of Trustees of each of the normal schools maintained and supported by the State: the state normal school at Towson, the state normal school at Frostburg, and the state normal school at Bowie.

1916, ch. 506.

83. The board of trustees shall exercise general supervision of the expenditure of all money appropriated by the General Assembly for the erection of buildings or additions, for repairs, up-keep, maintenance and support of these schools, and shall have control and supervision of their management and work. The board of trustees shall authorize all departments of instruction and all positions, and shall fix the salaries and tenure of all teachers and all assistants of whatever kind; they may dismiss any teacher or any assistant for immorality, dishonesty, misconduct in office, incompetency, insubordination, and wilful neglect of duty, but no teacher or professional assistant may be dismissed without being given a copy of the charges against him and an opportunity of being heard, in person or by counsel, in his own defense, upon not less than ten days' notice. The board of trustees shall authorize the course or the courses of study to be offered, including courses for observation and practice in teaching. They shall prescribe the entrance requirements, subject to

the provisions of this article, to the different departments and courses of study; shall determine the number of students to be admitted from the city of Baltimore, and each of the several counties, provided that students of both sexes shall be admitted; they shall regulate the length of the regular session, provided that it shall not be less than nine months; they shall provide and arrange for summer sessions, and shall formulate rules and regulations for the conduct and management of these schools.

By-law 37.

A summer session of six weeks, in charge of the principal of the school, shall be held in each normal school. No tuition fee shall be charged teachers employed in the state nor those who anticipate employment in the state the following year. If dormitory accommodations are not available for all applicants, preference shall be given those teachers whose salaries are lowest.

1916, ch. 506.

84. The board shall elect a principal for each of the state normal schools, provided that no principal shall be elected to a white normal school who is not a graduate of a standard college, or the equivalent, who has not had in addition not less than two years of special academic and professional preparation in a standard university, and five years of teaching experience, two of which have been in the training of teachers. Provided, that nothing in this section shall affect the terms of the present incumbents or their eligibility for reappointment. The principal shall be the head of his respective school and shall be responsible for the discipline and successful conduct of his school and for the administration and supervision of all its departments. The principal shall nominate for appointment by the board of trustees, and may recommend for dismissal by said board, all heads of departments, all teachers, and all assistants of whatever kind. He shall submit to the board of trustees, for adoption, courses of study and plans of work, and shall in every way take the initiative in working out the policies of his school and in promoting its development and efficiency. He shall each year make an annual report to the State Superintendent of Schools, including a copy of the annual report of the treasurer of the State Board of Education; of the receipts and disbursements of his school, a statement of the academic preparation of each student admitted during the year, of the state and condition of the school, of its achievements during the year, of its present and future needs, and of his recommendations for the support and advancement of his school.



1916, ch. 506.

85. There shall be maintained at each white state normal school a two-year course or courses of study designed for the preparation of teachers for the elementary schools, and to which only graduates of a standard four-year high school course, or the equivalent, may be admitted. There may be maintained, in addition, advanced specialized industrial and practical courses in manual training, in domestic art and science, and in the applied arts for the preparation of teachers in these special branches.

1916, ch. 506.

86. There may also be maintained, at each white state normal school, a four-year preparatory course of a standard high school grade for the accommodation of such students as desire to teach but who are not provided with local high school advantages; but no pupil may be admitted to this four-year course of a high school grade who has not completed the work of the public elementary schools.

1916, ch. 506.

87. Students regularly admitted to the state normal schools from the city of Baltimore and the several counties, who shall obligate themselves to teach in the State of Maryland, shall have free tuition and shall be furnished the use of text books free of charge. Other students may be admitted to these schools, in the discretion of the board of trustees, who possess the prescribed qualifications for admission, on payment of a fixed and uniform fee as determined by the board of trustees.

By-law 38.

Every student admitted to the Maryland state normal schools without payment of tuition shall sign the following pledge:

In obedience to the Laws of Maryland governing free tuition in the State Normal Schools, I hereby obligate myself to teach in the public schools of the State for a period of at least two years after being graduated from the..... State Normal School.

1916, ch. 506.

88. The several and respective sums hereafter appropriated by the General Assembly for the erection of buildings, or additions, repairs, up-keep, maintenance, and support of each of the state normal schools, shall, unless otherwise specified and provided, be paid in equal instalments on the first day of January, March, June, and October to the Treasurer of the State Board of Education. On or before said dates, the Comptroller shall draw

his warrant on the Treasurer of the State of Maryland for the respective amounts due on said dates to the Treasurer of the State Board of Education. On receipt of the warrant of the Comptroller, the Treasurer of the State of Maryland shall immediately pay the amount due on said dates to the Treasurer of the State Board of Education, and the same shall be paid to and applied by the board of trustees of the state normal schools to the payment of teachers' salaries, clerical and other assistance, for the purchase of apparatus, school furniture, text books, library and reference books, stationery, light, fuel, and for other necessary expenses in maintaining and supporting the respective state normal schools, and when special appropriations are made for the erection of buildings or additions or unusual repairs, the same shall be used for the special purpose. The Treasurer of the State Board of Education shall make, on or before January the first of each year, to the Governor, a report of the receipts and disbursements of each of the state normal schools.

1904, ch. 584.

\* 89. All donations or bequests of money or personal property, and all grants or devises of lands for the benefit of any state normal school or normal department, shall be held in trust by the State Board of Education.

### CHAPTER 13—Teachers' Institutes.

1914, ch. 84.

\* 92. A teachers' institute, to continue not less than five days, shall be held in each county once a year, and in the absence of the State Superintendent the county superintendent shall preside. Two or more counties may combine and hold a joint institute. The board of county school commissioners of any county may, in lieu of holding a teachers' institute, require at least one-fourth of the number of the teachers of that county to attend a summer school, which has been approved by the State Superintendent of Schools, during the summer preceding the school sessions for which no institute is held, provided the said board of county school commissioners reimburses those teachers who attend summer school for their expenses to the extent of at least twenty-five dollars, and the county superintendent shall

have authority to designate the teachers who are required to attend summer school under the provisions of this section.

By-law 39.

The county board of education shall pay to each teacher who attends an approved summer school for six weeks and who receives credits for work done, the sum of twenty-five (25) dollars towards defraying the expense of the summer school, when such attendance is necessary for the renewal of a certificate.

By-law 40.

1. The county superintendent shall organize a teachers' institute which shall remain in session at least ten days each year, unless the county board of education has sent twenty-five per cent of the teachers in the county to an approved summer school.

2. The proposed program of work, including the staff of instructors, shall be approved in advance by the State Superintendent of Schools; and satisfactory completion of the work of three such institutes may be offered in lieu of one summer school requirement for the renewal of a teacher's certificate. None of the time of the institute shall be counted towards making up the 180 actual school days for the year specified in the law; but the institute days shall be considered a part of the regular school year for which the teacher is employed and for which she is paid at least the minimum salary prescribed in the law, and a proportionate amount of the annual salary may be deducted for failure to attend the institute.

3. Notice of the place and date and a program or outline of the work must be sent the teachers at least one week before the institute begins. Teachers who shall have attended a summer school during the summer next preceding the institute may be excused from the institute.

1904, ch. 584.

\* 93. The State Superintendent of Schools shall fix a time of the meeting of the institute, and it shall be the duty of the county superintendent to notify each teacher of the time and place of meeting, and when so notified, each teacher in actual employment is required to attend; the president of the school board shall select the place for the institute to meet.

1904, ch. 584.

\* 94. These institutes, being designed as temporary normal schools, shall be attended by the State Superintendent, when possible to do so, and by one or more instructors of a state normal school or normal department faculty, to be selected by the State Superintendent and the principal of the school, and any member of the board of county school commissioners who may choose to attend.

1904, ch. 584.

\* 95. The members of the State Board of Education and the members of the county school boards shall encourage the work of the Maryland State Teachers' Reading Circle, which was organized by the Maryland State Teachers' Association, and which is a body politic and with power to organize, manage, and direct a State teachers' reading circle.



**CHAPTER 14—Teachers' Associations.**

1890, ch. 323.

- \* 96. District, county, and State teachers' associations are recommended as important means of elevating the standard of public education by mutual conference, interchange of views and suggestions as to systems of teaching and discipline.

1872, ch. 377.

- \* 97. It shall be the care of the county superintendent to aid in the organization of these associations, to encourage attendance, to secure competent lecturers, and to impart such information as will encourage teachers in their work and fit them for the performance of their duties.

1872, ch. 377.

- \* 98. These associations may occupy any of the schoolhouses.

**CHAPTER 15—District Libraries.**

1904, ch. 584.

- \* 99. For the further encouragement of education, district libraries ought to be established in each schoolhouse district under the care of the teacher, as librarian; for this purpose the sum of ten dollars per annum is ordered to be paid by the board of county school commissioners out of the state school fund, to any schoolhouse district as library money, as long as the people of the district raise the same amount annually; the books must be selected by the board of district school trustees and teachers from a list to be furnished by the State Board of Education.

By-law 41.

A list of books suitable for public school libraries shall be prepared and published by the State Superintendent of Schools, and shall be revised at least once every three years.

By-law 42.

The district board of school trustees shall cooperate with the principal teacher in raising funds to purchase library books if the school is not already well provided with this necessary equipment, and shall file an application with the county board of education for an appropriation of ten dollars, when the school shall have raised an equal amount. They shall also encourage and assist the principal teacher in devising ways and means for the improvement of the grounds and the interior of the school building, and in every way possible seek to bring about improved school conditions.

1910, ch. 505.

- \* 100. The Governor shall biennially appoint four persons, at least two of whom shall be women, who, with the State Librarian,

the State Superintendent of Schools, and the librarian of the Enoch Pratt Free Library, shall constitute the Maryland Public Library Commission.

\* 101. Said commission shall annually elect from their own number a president and a secretary, who, with the other members of the commission, shall serve without pay, but the necessary traveling expenses of the commissioners in attending upon the meetings of the commission or its business away from their homes may be paid out of the appropriation for the commission. The secretary shall also act as treasurer of the commission and shall give bond, with approved security, for the proper performance of his duties.

\* 102. Said commission shall give advice and counsel to all public libraries and public school libraries in the State and to all persons proposing to establish them, as to the best means of their establishment and maintenance, the selection of books, cataloging, and other details of management. Said commission shall annually report to the Governor in the month of November a full and complete account of its doings and of its receipts and expenditures.

\* 103. Said commission shall organize and conduct traveling libraries throughout the State, shall formulate such reasonable regulations for the use and care of the books of such traveling libraries as they may deem proper; and shall from time to time send out and distribute such books throughout the State, and at suitable intervals change such distributions so as to secure the greatest advantage.

\* 104. The State Treasurer shall annually, on the first day of October, pay to the treasurer of the commission the sum of \$1,500 for the use of the commission.

\* 105. Said commission, upon application of the library directors of a county, municipality, or election district which has complied with the provisions of this law relative to the establishment of such library, may expend not more than one hundred dollars for books, to be selected and purchased by said commission and delivered to said directors for the purpose of establishing a free public library.

\* 106. The boards of county commissioners shall have power to establish and maintain central free public libraries at the

county seats of their respective counties, with branches in such places within the limits of said counties as the demand of the people of the vicinity may justify, so as to give them convenient access to the free libraries and reading-rooms, and the legislative authority of any incorporated municipality shall have power to establish public libraries in like manner for said municipality.

\* 107. The board of county commissioners of any county in the State, for the establishment and maintenance of said free public libraries and reading-rooms in their respective counties, may levy an annual tax not exceeding five cents on each one hundred dollars of the assessed valuation of taxable property, such tax to be levied and collected in like manner as other general taxes of said county, and when collected to be known as the public library fund.

\* 108. In case a majority of the voters in any election district shall petition the board of county commissioners to establish a public library in said district, the said board shall establish and control such public library in the same manner as the legislative authority of an incorporated municipality may establish and control a library under this act, and said board of county commissioners may levy a tax on the election district for the said library in like manner as is done for the library of an incorporated municipality and to the same amount, and said election district library shall be managed in the same manner as the library of an incorporated municipality.

\* 109. The legislative authority of any municipality may levy a tax for public library purposes upon the assessed valuation of the taxable property within said municipality, not exceeding seven cents on each one hundred dollars, to be collected in like manner as the other taxes of said municipality. The money so collected by the governing boards of the incorporated municipalities shall be paid over to the trustees or board of directors, to be appointed as hereinafter provided, and shall be expended by them as in their judgment they may deem best.

\* 110. Whenever any board of county commissioners or legislative authority of an incorporated municipality shall have determined to establish and maintain public libraries and reading-rooms under this act, such board of county commissioners or leg-



islative authority of an incorporated municipality shall appoint for such county, election district or incorporated municipality, a board of nine directors, who shall be chosen at large with reference to their fitness for such office; said directors shall hold office, one-third for two years, one-third for four years, and one-third for six years, from the first of January following their appointment and until their successors are chosen. At their first regular meeting they shall cast lots for their respective terms, and biennially thereafter the board of county commissioners or legislative authority of the municipality shall appoint, as before, three directors to take the place of the retiring directors, who shall hold office for six years and until their successors are appointed. The board of county commissioners or legislative authority of the municipality may remove any director for inefficiency, misconduct, or neglect of duty.

\* 111. Vacancies in the said board of directors occasioned by removal, resignation or otherwise, shall be reported to the board of county commissioners or legislative authority of the municipality, and shall be filled forthwith by them for the unexpired portion of the term.

\* 112. Said directors shall, immediately after their appointment, meet at the call of the county commissioners or legislative authority of the municipality, and organize by the election of a president and vice-president from their own number, and a person or persons to act as secretary and treasurer. The treasurer so elected shall give bond for the faithful performance of his trust in such sum as said library board shall determine; the said bond to be approved by the said library board and the expense thereof paid out of the library fund. Directors shall receive no compensation. They shall make and adopt by-laws, rules, and regulations not inconsistent with this act, for their own guidance and for the government of the libraries and reading-rooms. They shall have exclusive control of the expenditure of all moneys collected to the credit of the library fund under this act, but such expenditures and all contracts made by them shall not exceed the appropriations provided and made under sections 3 and 4 of this act. They shall also have control of the construction of any library building, and of the supervision, care, and custody of the library grounds, rooms, or buildings constructed

or set apart for that purpose; and they shall have power to purchase or lease grounds, to occupy, lease, or erect an appropriate building or buildings for the use of said library, to appoint a suitable librarian and assistants, to fix the compensation of such appointees and to remove them if unsatisfactory, and shall in general carry out the spirit and intent of this act in establishing and maintaining public libraries and reading-rooms.

\* 113. All moneys collected for such libraries and reading-rooms by the county commissioners or governing boards of incorporated municipalities as hereinabove provided, shall be deposited in the treasury of said county or of the said municipality, respectively, to the credit of the library fund, and shall be kept separate and apart from other moneys of such county or municipality, and paid over to the treasurer of the library board upon the demand of the board.

\* 114. Every library and reading room established under this act shall be forever free to the use of the inhabitants of the county, election district, or municipality where it is located; subject, however, to such reasonable rules and regulations as the library board may adopt, and said board may exclude from the use of said libraries and reading-rooms any and all persons who shall wilfully violate such rules, and may extend the privilege of said library to persons living outside of the county or municipality, upon such terms and conditions as said board may from time to time by its regulations prescribe.

\* 115. Every person who shall steal or unlawfully take or detain, or who shall mutilate, injure or disfigure by writing, marking, cutting, tearing, or otherwise, any book, map, picture, engraving, manuscript or other property of any public library or circulating library, or library belonging to the State of Maryland, or to any municipality or public body or incorporated institution, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not more than one hundred dollars, said fine to be used for the benefit of the library, or be imprisoned for not more than three months, or, in the discretion of the court, may be both fined and imprisoned as aforesaid.

\* 116. Each library board established under this act shall make an annual report to the county commissioners or legislative authority of the municipality on or before the twentieth day of

January, stating the condition of their trust on the first day of January in that year, the various sums of money received from the library fund and from other sources, and how such moneys have been expended and for what purpose, the number of books and periodicals on hand, the number added by purchase, gift or otherwise during the year, the number lost or missing, the number of books loaned out, and the general character and kind of such books, with such other statistics and information and suggestions as they may deem of general interest. All such portion of said report as relates to the receipt and expenditure of money shall be subject to the audit of the county commissioners or legislative authority of the municipality. A copy of said report shall be sent annually to the Maryland Public Library Commission.

\* 117. The said library board may receive, hold and possess, or sell and dispose of all such gifts, donations, devises, bequests and legacies as may be made to the county commissioners, to the municipality, or to the library board for the purpose of establishing, increasing or improving such public library. In such cases, the library board shall act as trustees, and have control of such gifts, donations, devises, bequests and legacies, and may apply the proceeds, interests, rents and profits accruing therefrom in such manner as will best promote the prosperity and utility of such library; provided, such application be according to the terms of the gifts, donations, devises, bequests and legacies.

\* 118. Every public library established under this law shall receive from the State a copy of the laws, journals, and all other books published by the authority of the State except the Maryland law reports, and in return therefor shall transmit a copy of its annual report to the state library.

\* 119. All real estate acquired for the use and benefit of any library and reading-room, established as aforesaid, and all property that shall be a part of any such library and reading-room, shall be exempt from all state, county, and municipal taxation.

\* 120. The provisions of sections 100-120 shall not apply to Baltimore county.

#### CHAPTER 16—The City of Baltimore.

1884, ch. 2.

\* 121. The Mayor and City Council of Baltimore shall have full power and authority to establish in said city a system of



free public schools, which shall include a school or schools for manual or industrial training, under such ordinances, rules and regulations as they may deem fit and proper to enact and prescribe; they may delegate supervisory powers and control to a board of school commissioners; may prescribe rules for building schoolhouses and locating, establishing, and closing schools, and may in general do every act that may be necessary or proper in the premises.

M. and C. C. of Baltimore vs. Wetherby, 52 Md. 442.  
Hooper vs. New, 85 Md. 581.

1872, ch. 377.

\* 122. The board of commissioners of public schools of Baltimore city, or by whatever name the body may be known that has supervisory powers and control over the public schools of Baltimore city, shall have power to examine, appoint and remove teachers, prescribe the qualifications, fix the salaries, subject to the approval of the Mayor and City Council, and select text books for schools of said city; provided, that such text books shall contain nothing of a sectarian or partisan character. The board of commissioners of public schools of said city shall annually make a report to the State Board of Education of the condition of the schools under their charge, to include a statement of expenditures, the number of children taught, and such other statistical information as may be necessary to exhibit the operations of the schools.

Hooper vs. New, 85 Md. 581.

1872, ch. 377.

\* 123. The Mayor and City Council of Baltimore shall have power and authority to make all ordinances for the protection of the schoolhouses and property, and to punish any person who may disturb the sessions of said public schools.

1872, ch. 377.

\* 124. The said Mayor and City Council are hereby authorized and empowered to levy and collect upon the assessable property in said city, as other taxes are levied and collected, such amount of taxes as may be necessary to defray all the expenses incurred for educational purposes by said Mayor and City Council.

**CHAPTER 17—High Schools.**

Note.—The course of study, including by-laws and regulations governing approved high schools, is published separately and may be obtained by addressing the State Superintendent. For the provisions of the law governing third group high schools, see section 138, page 81.

1916, ch. 506.

125. The county board of education of any county shall have authority to establish high schools, subject to the approval of the State Superintendent of Schools, in their respective counties, when, in their judgment, it is advisable to do so. All high schools so established and those now in operation shall be under the direct control of the several county boards of education, subject to the provisions of this article; provided, that when instruction below that of the high school grades is given in the same building, or on the same premises, such grade work may also be under the direct control of the county board of education, and the principal of the high-school shall also be principal of the elementary school.

1918, ch. 105.

126. For the encouragement of secondary education in Maryland, the State shall extend aid to such groups of high schools in such amounts and in such manner as hereinafter designated and described. All high schools of the counties of the State of Maryland receiving state aid shall be arranged by the State Superintendent of Schools in two groups, to be designated first group and second group, according to the number of pupils enrolled, teachers employed, and years of instruction given. High schools of the first group shall fulfill the following minimum requirements: (a) They shall have an enrollment of not less than eighty pupils, and an average daily attendance of not less than seventy pupils; (b) they shall employ not less than four teachers for the regular high school work, exclusive of instructors of special subjects named under (e); (c) they shall provide a four years' course of instruction of not less than one hundred and eighty actual school days in each year, the same to conform to the standard required by the State Board of Education; (d) the annual salary of the principal shall be not less than twelve hundred dollars (\$1,200) for a person, holding a first class certificate, of less than three years' experience as principal of an approved high school; not less than thirteen hundred dollars (\$1,300) for a person, holding a first class certificate, of three years' experience as principal of an approved high school; not less than fourteen hundred dollars (\$1,400) for a per-

son, holding a first class certificate, of five years' experience as principal of an approved high school; and not less than fifteen hundred dollars (\$1,500) for a person, holding a first class certificate, of eight years' experience as principal of an approved high school. The annual salary of each assistant teacher regularly employed shall be not less than six hundred dollars (\$600) for a person of less than three years' experience as teacher in an approved high school; not less than six hundred and seventy-five dollars (\$675) for a person, holding a first class certificate, of three years' experience as teacher in an approved high school; not less than seven hundred and fifty dollars (\$750) for a person, holding a first class certificate, of five years' experience as a teacher in an approved high school; and not less than eight hundred dollars (\$800) for a person, holding a first class certificate, of eight years' experience as a teacher in an approved high school. Experience prior to the year 1910 shall not be considered in determining the salary of the principal and assistant teachers; (e) provision shall be made for manual or industrial training and domestic science courses, and also for a commercial or an agricultural course, as may be determined by the county board of education, on the approval of the State Superintendent of Schools; and on the recommendation of said State Superintendent of Schools a course in agriculture may be substituted for manual or industrial training; (f) no person shall be employed as principal or assistant teacher not holding the appropriate certificate as provided for in Chapter 8 of this Article. High schools of the second group shall fulfill the following minimum requirements: (a) they shall have an enrollment of not less than thirty-five pupils, and an average daily attendance of thirty pupils; (b) they shall employ not less than two teachers for the regular high school work, exclusive of instructors of special subjects named under (e); (c) they shall provide a three years' course of instruction of not less than one hundred and eighty actual school days in each year, the same to conform to the standard required by the State Board of Education; (d) the annual salary of the principal shall be not less than one thousand dollars (\$1,000) for a person, holding a first class certificate, of less than three years' experience as principal of an approved high school; not less than eleven hundred dollars (\$1,100) for a person, holding a first class certificate, of three years' ex-



perience as principal of an approved high school; not less than twelve hundred dollars (\$1,200) for a person, holding a first class certificate, of five years' experience as principal of an approved high school; and not less than thirteen hundred dollars (\$1,300) for a person, holding a first class certificate of eight years' experience as principal of an approved high school; and the annual salary of each assistant teacher regularly employed shall be not less than six hundred dollars (\$600) for a person of less than three years' experience as teacher in an approved high school; not less than six hundred and seventy-five dollars (\$675) for a person, holding a first class certificate, of three years' experience as teacher in an approved high school; not less than seven hundred and fifty dollars (\$750) for a person, holding a first class certificate, of five years' experience as a teacher in an approved high school; and not less than eight hundred dollars (\$800) for a person, holding a first class certificate, of eight years' experience as teacher in an approved high school. Experience prior to the year 1910 shall not be considered in determining the salary of the principal and assistant teachers; (e) provision shall be made for manual or industrial training and domestic science courses, and also for an agricultural course, as may be determined by the county board of education, on the approval of the State Superintendent of Schools; (f) no person shall be employed as principal or assistant teacher not holding the appropriate certificate as provided for in Chapter 8 of this Article. The course of instruction in schools of the second group may be extended to four years by the county board of education on the approval of the State Superintendent of Schools, by the employment of such additional teacher or teachers, as may be required by the State Superintendent of Schools; provided, that the salary of such additional teacher or teachers shall be paid wholly by the county board of education; and in the schools of the second group, where the course of instruction has been so extended to a four-year course, the graduates shall receive the same recognition as graduates of schools of the first group. No promotions of high school pupils from one grade to another, or graduation, shall be made without the approval of the principal and the county superintendent.

By-law 43.

Principals of approved high schools shall not engage in other gainful occupations during the school year.

## By-law 44.

Whenever the average daily attendance in an approved high school of the second group, carrying a four-year course, is less than forty-five, one of the three duly certificated teachers of regular academic subjects in such a school may devote two-fifths of his or her time to teaching one of the special subjects; provided, that such teacher holds a certificate in the special subject he proposes to teach, in addition to a certificate in the regular subject or subjects; provided, that in no case shall an approved high school carry a four-year course with fewer than three academic teachers, of whom two shall devote to academic subjects their full time, and the third shall devote to academic subjects at least three-fifths of his time.

1916, ch. 506.

**126A.** To encourage the idea that no person should enter upon the duties of teaching without special training for the work, the county board of education of any county, with the approval of the State Superintendent of Schools, may inaugurate in one approved high school of the first group, a two years' teachers' training course for students having completed successfully the tenth-year grade, and who wish to prepare themselves for teaching. The State Board of Education shall prescribe the course and all necessary regulations to make the work of the course effective.

1916, ch. 506.

**127.** It shall be the duty of the State Superintendent of Schools, or an assistant designated by him, to make an annual inspection of all high schools receiving state aid, and also such other schools as make application, through their respective county superintendents, to receive said state aid. The State Superintendent of Schools shall, on or before the last day of September of each year, prepare a list of high schools, designating the group to which each belongs, the amount of said state aid to which each is entitled, and to whom the same shall be paid. The preparation of this list shall be based on information obtained through inspection, supervision, written reports of the principal or county superintendent, or other reliable sources. He shall certify this list to the Comptroller of the Treasury, on or before the last day of September of each year, and the Comptroller of the Treasury shall issue his warrant upon the Treasurer of the State in equal quarterly instalments in each and every year at the time when the general state school fund is now, or may hereafter be, distributed, payable to the orders of the treasurers of the respective county boards of

education, or the Board of Commissioners of the Public Schools of Baltimore City, for such sum or sums as they are entitled to receive under the provisions of this article, and shown by the certified list of high schools as aforesaid. Provided, that any high school receiving state aid, under the provisions of this article, shall forfeit its right to receive state aid under the provisions of any other act or resolution of the General Assembly of the State of Maryland. Provided further, that not more than one high school shall be granted state aid under the provisions of this article in the same village, town, or city, unless each additional high school has an average daily attendance in excess of two hundred pupils; provided that this provision shall not affect the right of schools on the approved list at the date of the passage of this act to receive state aid.

1916, ch. 506.

128. Each county high school in the first group shall receive state aid on the basis of the cost of instruction, and in the following manner: The sum of six hundred (600) dollars on account of the principal, and the sum of three hundred (300) dollars on account of each of the first three assistants employed for regular high school work; the sum of four hundred (400) dollars on account of each of two special teachers, who shall spend not less than two-fifths of their time in the school; and the sum of one hundred (100) dollars on account of each additional regular high school teacher, provided the total amount does not exceed the sum of twenty-five hundred (2500) dollars. In this Chapter the term "special teacher" shall be construed to mean a teacher of commercial, manual or industrial training, domestic science, or agricultural branches. Each county high school in the second group shall receive state aid on the basis of the cost of instruction, and in the following manner: The sum of six hundred (600) dollars on account of the principal; the sum of four hundred (400) dollars on account of one assistant teacher employed for regular high school work; and the sum of four hundred (400) dollars on account of one instructor of special subjects; provided that the amount that may be received by a high school of Baltimore city shall be equal to the maximum amount received on account of any high school in the counties of the State.



1916, ch. 506.

**129.** All certificates or diplomas issued to students having completed a course of study in a county high school shall show the group to which said high school belongs, the course taken by the student, and the number of years of instruction given; and the graduates of any approved high school providing a four years' course shall be admitted without examination to the freshman class of any college of Maryland receiving financial aid from the State; provided said graduate pursued the academic course in the high schools.

1916, ch. 506.

**130.** The State Board of Education, subject to the provisions of this article, shall prepare the course of study to be used by the several groups of high schools described in this article, and shall have authority to make any by-laws for their government not at variance with the provisions of this article.

## **CHAPTER 18—Schools for Colored Children.**

1916, ch. 506.

**131.** It shall be the duty of the county board of education to establish one or more public schools in each election district for all colored youths, between six and twenty years of age, to which admission shall be free, and which shall be kept open not less than one hundred and forty (140) actual school days, or seven months in each year; provided, that the colored population of any such district shall, in the judgment of the county board of education, warrant the establishment of such a school or schools.

1916, ch. 506.

**132.** Each colored school shall be under the direction of a district board of school trustees, to be appointed by the county board of education, subject to the provisions of section 7 of this article, and schools for colored children shall be subject to all the provisions of this article.

1918, ch. 81.

**132-A.** No teacher regularly employed in the public schools for colored children in the State of Maryland shall receive a salary of less than thirty dollars (\$30) per month; provided that any such teacher holding a second grade certificate shall

receive a salary of not less than thirty-five dollars (\$35) per month; and provided, further, that any such teacher holding a first grade certificate shall receive a salary of not less than forty dollars (\$40) per month.

The average of the annual salaries paid all teachers regularly employed in the public schools for colored children in any county of this State having a seven months' school term for colored children, shall be not less than two hundred and fifty dollars (\$250) in any such county.

## CHAPTER 19—Source and Distribution of Income.

1916, ch. 506.

133. All money appropriated, subsequent to the enactment of this section by the General Assembly of the State of Maryland, and the receipts from any state public school tax levied by the General Assembly, to aid in support of public schools, shall constitute what shall be known as the General State School Fund. The Comptroller shall charge against and pay as hereinbefore or hereinafter provided from the General State School Fund, the annual appropriation\* made by the General Assembly for the support of the State Department of Education, including the ex-

\*NOTE—The appropriations for the public schools for each of the years 1919 and 1920 are as follows:

State Department of Education.....	\$25,000.00
Maryland State Normal School .....	50,000.00
Frostburg State Normal School .....	12,500.00
Maryland Normal and Industrial School.....	10,000.00
For Retired Teachers' Pensions.....	34,000.00
For State Aid to Approved High Schools.....	140,000.00
For State Aid to Colored Industrial Schools.....	27,000.00
For part payment of certain salaries.....	60,000.00
For Free Text Books .....	150,000.00
For Materials of Instruction and Schools Supplies.....	50,000.00
For Printing Annual Report .....	2,000.00
For Schools of Counties and City of Baltimore.....	1,425,500.00
Special Appropriation for Schools of Garrett County.....	3,000.00
Special Appropriation for Calvert County.....	1,000.00
Special Appropriation for Calvert County High School Building	5,000.00
For Vocational Education .....	5,000.00
Grand Total to Public Schools.....	\$2,000,000.00

penses of the State Board of Education, and the support and expenses of the office of the State Superintendent of Schools; the annual appropriation for the maintenance and support of the state normal school at Towson; of the state normal school No. 2 at Frostburg; and of the state normal school No. 3 at Bowie; the annual appropriation for retired teachers' pensions; the annual appropriation for state aid to approved high schools; the annual appropriation for state aid to approved colored industrial schools; the annual appropriation for part payment by the State of the salaries of county superintendents and of the Superintendent of Schools of Baltimore City, and of one supervisor, and of one attendance officer in each of the several counties and the City of Baltimore; the annual appropriation for the purchase of text books, materials of instruction, and school supplies. But no special appropriation to any county, to any academy or to any college or university may be paid from the General State School Fund.

1916, ch. 506.

136. Such appropriations as are made by the General Assembly for the payment of the expenses of the State Board of Education and for the support and expenses of the office of the State Superintendent of Schools shall be paid each year in equal instalments on the first day of January, March, June, and October, to the Treasurer of the State Board of Education. On or before said dates the Comptroller shall draw his warrant on the Treasurer of the State of Maryland for the respective amounts due on said dates to the Treasurer of the State Board of Education. On the receipt of the warrant of the Comptroller, the Treasurer of the State of Maryland shall immediately pay the amount due on said dates to the Treasurer of the State Board of Education.

1916, ch. 506.

137. The State Superintendent of Schools shall certify to the Comptroller, on or before the last day of December, February, May, and September, the amounts due on said dates to the Board of Public School Commissioners of the City of Baltimore and to the county boards of education of the several counties, on account of the part payment by the State of the salary of county superintendents, Superintendent of Schools of Baltimore City, and one supervisor and one attendance officer in the City of Baltimore



and in each of the several counties. The Comptroller shall, on or before the first day of January, March, June, and October, draw his warrant on the Treasurer of the State of Maryland for the respective amounts due the City of Baltimore and the treasurers of the county boards of education of the several counties. On the receipt of the warrant of the Comptroller, the Treasurer of the State of Maryland shall immediately pay the respective amounts due the City of Baltimore and the treasurers of the county boards of education of the several counties.

1918, ch. 488.

138. After all deductions are made from the general state school fund as provided for in section 138 of this article, the Comptroller shall next apportion the sum of \$15,000.00, or so much thereof as may be necessary, as state aid to such third group of high schools, as may be established by the State Board of Education, the same to be in addition to the two groups provided for in section 126 of this article, and high schools included within such third group shall fulfill the following minimum requirements: (a) they shall have an enrollment of not less than twenty-five pupils, and an average daily attendance of not less than twenty pupils; (b) they shall employ not less than two regular academic teachers; (c) and in other respects they shall fulfill the minimum requirements prescribed by section 126 of this article for high schools of the second group, except the requirements set forth in sub-division (e) therefor. The said sum of \$15,000.00 apportioned as state aid to the third group of high schools shall be distributed among the schools in said group as follows: A sum equal to one-half the salary of the principal teacher, but not to exceed the sum of \$500.00, and a sum equal to one-half the salary of the second teacher, but not to exceed the sum of \$400.00. After provision has thus been made for such third group of high schools as may be established as aforesaid, then the Comptroller shall apportion on or before the last day of September, the remainder of the general state school fund of each year to the several counties and the City of Baltimore, as follows: Two-thirds shall be apportioned on the basis of the population between the ages of six and fourteen years as given by the latest available biennial school census required by sections 21B, 25M and 75 of this article; provided, that the latest

Federal census shall be employed until the biennial school census becomes available; and one-third shall be apportioned upon the basis of the aggregate days of school attendance during the preceding school year as certified to by the State Superintendent of Schools; provided that the attendance of pupils in a state-aided high school shall not be counted in apportioning the general state school fund.

1916, ch. 506.

**139.** On or before the first day of January, March, June, and October, in each year, the Treasurer of the State, upon the warrant of the Comptroller, shall pay in the proportion required by section 138 of this article, after deductions are made as provided in section 133 of this article, what remains from the amount received to the credit of the General State School Fund to the treasurers of the county boards of education of the several counties and to the City of Baltimore. He shall equalize, as far as may be possible, the sums to be paid on each of the said days, and shall notify the State Superintendent of Schools of said apportionment. Provided, that the Comptroller shall withhold from any county or from the City of Baltimore any instalment from the General State School Fund on notification from the State Superintendent of Schools that said county or City of Baltimore is not complying with the provisions of this article.

1872, ch. 377.

**\*. 140.** When the levy of any year shall have been collected, the Comptroller shall apportion among the several counties and the city of Baltimore the amount allowed on the levy for insolvencies and abatements, and shall transmit a statement of the same to the State Board of Education.

## **CHAPTER 20—Colored Industrial Schools.**

1916, ch. 506.

**142.** It shall be the duty of the county board of education in each county of the State, when in their judgment there is need thereof, to provide a suitable building or room, or rooms, connected with one of the colored schools of said county, for the establishment of a central colored industrial school, and to provide for the maintenance of such central colored industrial school where instruction shall be given daily in domestic science and

in such industrial arts as may be determined by the county board of education. One-half of the appropriation hereinafter provided shall be used for the maintenance of such industrial school.

1916, ch. 506.

143. Whenever any such colored industrial school is opened in any county, the secretary of the county board of education shall report the fact to the State Superintendent of Schools, and he, or an assistant designated by him, shall visit the said school and shall give, if in his judgment it is warranted, a certificate of approval of the conditions and the plan upon which said industrial school is conducted, to the secretary of the county board of education. The State Superintendent of Schools shall submit annually to the Comptroller of the Treasury of the State on or before the last day of September a complete list of such schools as are entitled to receive the special appropriation for industrial education.

1916, ch. 506.

144. The Comptroller, upon receiving the certificate of approval from the State Superintendent of Schools, is hereby authorized and directed to issue his warrant, on the first day of October, each year, upon the Treasurer of the State for the sum of fifteen hundred dollars, payable to the order of the treasurer of the county board of education that has inaugurated such a colored industrial school, in equal quarterly instalments, at the time when the General State School Fund is distributed, as provided for in this article. One-half of said appropriation shall be used for the support of one colored industrial school in the county and one-half shall be used by the county board of education of the county where said colored industrial school is located for the employment of a capable and trained colored supervisor of colored schools, who shall be required to visit, under the direction of the county superintendent, all the colored schools of the county as often as the county superintendent may direct, and shall cause instruction of an industrial character to be made a daily part of the work of every colored school. The management and control of such an industrial school and the employment of a supervisor shall, subject to the provisions of this article, be in the hands of the county board of education of the county where such school is located.



## By-law 45.

The board of education of a county receiving a state appropriation for a colored supervisor of colored schools shall appoint a capable colored man or woman as supervisor, with at least the academic and professional preparation required for a first grade elementary school teacher's certificate, and the appointment shall not be valid until approved by the State Superintendent of Schools.

1916, ch. 506.

**145.** No appropriation for the full amount of fifteen hundred dollars, authorized in the preceding section for the support of one central colored industrial school and for the employment of a colored school supervisor in such county where the colored industrial school may be located, shall be paid as authorized after the first annual appropriation, unless said colored industrial school shall have had for the preceding year an average attendance of thirty pupils and as many as ten colored schools in the county where such industrial school is located. If in any county where there are less than ten colored schools, a colored industrial school shall be established, the State Superintendent of Schools, in his discretion, may recommend the payment of a part of said appropriation, not to exceed one-half the amount, or seven hundred and fifty dollars; and when such recommendation is made to the Comptroller, he is authorized and directed to issue his warrant upon the Treasurer of the State for said amount, payable to the order of the treasurer of the county board of education.

**Farmers' Institutes.**

1896, ch. 102.

\* **148.** A department of "Farmers' Institutes" shall be established for the State of Maryland; the purpose of these institutes shall be to bring before the farmers of the State such information as will effectually remedy many of the existing evils now prevalent in every department of agriculture as now pursued in Maryland; and at said institutes men competent to instruct shall be present, and such topics shall be discussed as pertain to the principal agricultural interests of the several sections.

1896, ch. 102.

\* **149.** One such institute shall be held in each year in each county of the State, and an additional one in each county, if deemed necessary and desirable.

1896, ch. 102.

\* 150. Said institutes shall be under the direction of a director, to be appointed by the trustees of the Maryland State College of Agriculture, who shall be a person well versed in the profession of agriculture, and of practical experience, whose title shall be "Director of Farmers' Institutes," whose salary shall be fixed by said board of trustees and paid out of the appropriation hereinafter provided, and whose duty shall be defined by said board; the said institutes shall be a department of said college similar to the experiment station; all expenses of said institutes shall be paid out of said appropriation; and said board of trustees is invested with all powers necessary to carry into effect the provisions of this subtitle, but no expenses shall be incurred beyond the amount appropriated.

1904, ch. 557.

\* 151. The sum of six thousand dollars per annum is hereby appropriated for the formation and support of farmers' institutes in this State; and the comptroller is hereby authorized to issue his warrant annually upon the Treasurer for the said sum of money out of any fund not otherwise appropriated; the said sum shall be payable to the order of the Maryland State College of Agriculture on or after the first of October of each fiscal year, and the first yearly payment shall be made during the fiscal year ending September 30, 1904.

1896, ch. 102.

\* 152. Accurate accounts of the expenditures of the money received under this subtitle shall be kept by the registrar of the Maryland State College of Agriculture separate from the general college accounts; and an itemized and detailed report of such expenditures shall be made annually and published in such manner as the board of trustees of the Maryland State College of Agriculture shall direct.

## CHAPTER 21—School Attendance.

\* 153. Every child residing in Baltimore city, between eight and fourteen years of age, shall attend some day school regularly, as defined in section 131 of this subtitle, during the entire period of each year the public day schools in said city in which said child resides are in session, unless it can be shown that the

child is elsewhere receiving regularly thorough instruction during said period in the studies usually taught in the said public schools to children of the same age; provided, that the superintendent or principal of any school or person or persons authorized by said superintendent or principal may excuse cases of necessary absence among its enrolled pupils; and provided, further, that the provisions of this section shall not apply to a child whose mental or physical condition is such as to render its instruction as above described inexpedient or impracticable. Every person having under his control a child between eight and fourteen years of age shall cause such child to attend school or receive instructions as required by this section. Children over fourteen years of age and under the age of sixteen years, and every person having under his control such a child, shall be subject to the requirements of this section, unless such children are regularly and lawfully employed to labor at home or elsewhere.

\* 154. Any person who has a child under his control and who fails to comply with any of the provisions of the preceding section shall be deemed guilty of a misdemeanor, and be fined not exceeding five dollars for each offense.

\* 155. Any person who induces or attempts to induce any child to absent himself unlawfully from school; or employs or harbors while school is in session any child absent unlawfully from school, shall be deemed guilty of a misdemeanor, and be fined not more than fifty dollars.

1916, ch. 506.

156. The Board of School Commissioners of Baltimore City shall appoint, and may remove at pleasure, one chief attendance officer, male or female; and in addition they may appoint and may remove at pleasure, such number of attendance officers, male or female, not exceeding eighteen, as they may deem proper. The compensation of such officers shall be fixed and paid by the Mayor and City Council of Baltimore. The county board of education of each of the several counties shall appoint, with the approval of the county superintendent, and may remove at pleasure, with the approval of the county superintendent, at least one attendance officer, male or female, who shall give his or her entire time to the duties of the office; and such additional



attendance officers may be appointed as the county board of education may deem necessary.

\* 157. It shall be the duty of each attendance officer, and said officer shall have full power within the city or county for which he or she may be appointed, to arrest without warrant any child between eight and sixteen years of age found away from his home and who is a truant from school, or who fails to attend school, in accordance with the provisions of this subtitle. The said officer shall forthwith deliver a child so arrested either to the custody of a person in parental relation to the child or to the teacher from whose school such child is then a truant; but if a child be a habitual or incorrigible truant, said officer shall bring him before the magistrate for juvenile causes, or, in a county where such court does not exist, before a justice of the peace having jurisdiction, who may commit him to a parental school, as provided for in the next section, or to some other suitable institution for children located in the State of Maryland, where no person convicted of any crime or any offense other than truancy shall or may be confined; provided, however, that such court or justice may in its or his discretion parole such child instead of committing him as aforesaid. The attendance officer shall promptly report every such arrest to the school commissioners of the said city or county, respectively, or to such person or persons as they may direct.

\* 158. The Mayor and City Council of Baltimore and the several boards of school commissioners for the counties may establish schools to be known as parental schools for children between eight and sixteen years of age who are habitual truants from school or from instruction; the Mayor and City Council of Baltimore may, in its discretion, establish such school or schools either in Baltimore City or in one or more counties of the State. Two or more boards of school commissioners of adjoining counties may, in their discretion, jointly establish a parental school or schools for the joint use of the said counties, and said school or schools may be established in any one of the said counties so jointly acting. The Mayor and City Council of Baltimore and the several boards of school commissioners for the counties may also provide for the confinement, maintenance, and instruction of such habitually truant children in the schools respectively

established by them as aforesaid, for such period and under such rules and regulations as they may have respectively prescribed. The magistrate for juvenile causes or justice of the peace having jurisdiction may commit such habitually truant children to any of the parental schools for the city or county in which such children may reside, but no person convicted of any crime or of any such offense other than truancy shall be committed to any such schools.

\* 159. It shall be the duty of the Police Commissioners of Baltimore City, at the same time that the census of legal voters in said city is taken under their direction, as provided by Section 18 of Article 33 of the Code of Public General Laws, also to cause to be made by the members of the force under their control annually a separate record of the full name, age, color, and sex of every child between six and sixteen years of age in each precinct of the said city and the place where, and the year and month when, such children last attended school, together with the name and address of the parents, guardians or persons in parental relation, and employers of such children, which record shall be furnished by said Police Commissioners to the Board of School Commissioners of Baltimore City. Whosoever has under his control a child between said ages and withholds information in his possession from any officer demanding it relating to the items aforesaid, or makes any false statement in regard to the same, shall be deemed guilty of a misdemeanor, and be fined not more than twenty dollars.

\* 160. It shall be the duty of the principal or head teacher of every public or private school in this State to report immediately to the school commissioners of the county where such school is located, or of Baltimore City, if located therein, or to an attendance officer or other official designated by such commissioners, the names of all children enrolled in his or her school who have been absent or irregular in attendance three days, or their equivalent, without lawful excuse, within a period of eight consecutive weeks.

\* 161. Attendance officers may visit all establishments where minors are employed in their several cities and counties and ascertain whether any minors are employed therein contrary to law. Attendance officers may require that the certificates pro-

vided for in Article 100 of the Code of Public General Laws of Maryland relating to minors employed in such establishments shall be produced for inspection.

\* **161A.** Any person violating any provisions of this subtitle where no special provision as to the penalty for such violation is made shall be deemed guilty of a misdemeanor, and be fined not exceeding fifty dollars for each offense.

1916, ch. 506.

**162.** Every child, residing in any county of the State, being seven years of age, and under thirteen years of age, shall attend some public school during the entire period of each year that the public schools of the county are in session; unless it can be shown to the county superintendent of schools that such child is elsewhere receiving regular and thorough instruction during such period in the studies usually taught in the public schools of the county to children of the same age; provided, that the superintendent or principal of any school, or persons duly authorized by such superintendent, may excuse cases of necessary and legal absence among such enrolled pupils, and provided, further, that the provisions of this section shall not apply to children whose mental or physical condition is such as to render the instruction above described inexpedient or impracticable. Every person having under his control a child seven years of age and under thirteen years of age, shall cause such child to attend school or receive instruction as required by this section.

Every child, residing in any county of the State, being thirteen years of age or fourteen years of age, shall attend some public school not less than one hundred days, as nearly consecutive as possible, beginning not later than November first, during the period of each year that the public schools of the county are in session, and such child shall attend some public school the entire period of each year that the public schools of the county are in session, if not regularly and lawfully employed to labor at home or elsewhere, unless it can be shown to the county superintendent of schools that such a child is elsewhere receiving regular and thorough instruction for such period in the studies usually taught in the public schools of the county to children of these ages; provided, that the provisions of this section shall not apply to



children whose mental and physical condition is such as to render the instruction above described inexpedient or impracticable. Every person having under his control a child thirteen years of age or fourteen years of age, shall cause such child to attend school or receive instruction as required by this section.

Every child residing in any county of the State, being fifteen years of age or sixteen years of age, who has not completed the work of the public elementary school, shall attend some public school not less than one hundred days, as nearly consecutive as possible, beginning not later than November first, during the period of each year the public schools of the county are in session; and such child shall attend some public school the entire period of each year the public schools of the county are in session, if not regularly and lawfully employed to labor at home or elsewhere, unless it can be shown to the county superintendent of schools that such child is elsewhere receiving regular and thorough instruction for said period in the studies usually taught in the public schools of the county to children of these ages; provided, that the provisions of this section shall not apply to children whose mental and physical condition is such as to render the instruction above described inexpedient or impracticable. Every person having under his control a child fifteen years of age or sixteen years of age, shall cause such child to attend school or receive instruction as required by this section.

Any person who has a child under his control and who fails to comply with any of the provisions of this section, shall be guilty of a misdemeanor, and shall be fined not exceeding five dollars for each offense.

By-law 46.

Absence from school within the compulsory attendance ages shall be considered lawful only under the following conditions:

1. Death in the immediate family.
2. Illness of child.

The principal shall require a physician's certificate from the parent or guardian of a child reported continuously absent for illness.

3. Quarantine.

Quarantine shall be understood to mean isolation by order of the local or of the State Board of Health, and a physician's certificate certifying the time of absence required by the quarantine shall be secured by the principal.

4. Court summons.

5. Incapacity. (Physical.)

"Physical Incapacity" shall be interpreted as meaning such a state of ill-health or physical defect as shall render the instruction of the child impracticable in any other than a special class or school; and the attendance officer may require of the parent a certificate to this effect, signed by a reputable physician.

6. Incapacity. (Mental.)

"Mental Incapacity" shall be interpreted to mean feeble-mindedness or such nervous disorders as make it either impossible for such a child to profit by the instruction given in the school, or impractical for the teacher properly

to instruct the normal pupils of the school; and the attendance officer may require of the parent a certificate to this effect, signed by a reputable physician.

7. Violent Storms.

"Violent Storms" shall be interpreted to mean only such conditions of the weather as would endanger the health or safety of the child when in transit to and from school.

By-law 47.

For the purpose of clarity certain terms of Section 162, Chapter 506, of the Acts of 1916 are defined as follows:

1. "Being thirteen years of age, or fourteen years of age" shall be construed to mean from the thirteenth to the fifteenth birthdays.
2. "Being fifteen years of age, or sixteen years of age" shall be construed to mean from the fifteenth to the seventeenth birthdays.
3. "Elementary School" shall be construed to mean the elementary school course of seven grades, as set forth in the State Course of Study.

1918, ch. 441.

168. Every deaf or blind child between six and eighteen years of age shall attend some school for the deaf or blind for eight months, or during the scholastic year, unless it can be shown that the child is elsewhere receiving regularly thorough instruction during the said period, in studies usually taught in the said public schools to children of the same age; provided, that the superintendent or principal of any school for the deaf or blind, or person or persons duly authorized by such superintendent or principal, may excuse cases of necessary absence among its enrolled pupils; and provided, further, that the provisions of this section shall not apply to a child whose physical condition is such as to render its instruction, as above described, inexpedient or impracticable. Every person having under his or her control a child between six and eighteen years of age shall cause such child to attend school or receive instruction as required by this section.

1906, ch. 236.

\* 169. Provided, that where the parent, guardian, or any other person having control of a deaf or blind child is not financially able to pay for the transportation of the child to and from such school, the same shall be paid out of the state appropriation for the school which the child attends; provided, that three reputable male citizens over the age of twenty-one years, residents of the school district in which the said child resides, shall certify under oath that to the best of their knowledge and belief the parent, guardian, or other person having control of such child is not financially able to pay the expense of the child to and from school.

1906, ch. 236.

\* 170. Any person who has such a child under his or her con-

trol, and who fails to comply with any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before a justice of the peace, be fined a sum not exceeding five dollars for each offense.

1906, ch. 236.

\* 171. Any person who induces or attempts to induce any deaf or blind child to absent himself or herself unlawfully from school, or employs or harbors any such child absent unlawfully from school, while said school is in session, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before a justice of the peace, be fined a sum not exceeding fifty dollars for each offense.

1918, ch. 441.

172. The principal teacher of every public school in the counties and the truant officers of the City of Baltimore shall, within thirty days from the beginning of the school year succeeding March 31, 1906, furnish the board of county school commissioners, or the Board of Education of Baltimore City, as the case may be, with the names of all children who are deaf, blind, or feeble-minded, between the ages of six and eighteen years, inclusive, living within the boundaries of his or her school district who do not attend school. And the board of county school commissioners, or Board of Education of Baltimore City, shall certify forthwith the names of all such deaf, blind, or feeble-minded children to the respective principals of the state schools for such children.

### Miscellaneous.

1916, ch. 506.

173. Wherever the words "superintendent of public education" occur in this article, they shall be construed to mean State Superintendent of Schools; wherever the words "board of county school commissioners" occur, they shall be construed to mean "county board of education;" and where the words "board of district school trustees" occur, they shall be construed to mean "district board of school trustees." Nothing in this act shall be construed to modify the duties or increase the powers of the State Board of Education in reference to the schools of Baltimore City.



1872, ch. 377.

\* 174. Real and personal estate granted, conveyed, devised, or bequeathed for the use of any particular county or school district shall be held in trust by the board of county school commissioners for the benefit of such county or school district, and such grants and bequests shall be exempt from all state and county taxes.

1872, ch. 377.

\* 175. Moneys invested in trust for the benefit of the public schools of any county or city shall be exempt from State, county, or local tax.

1918, ch. 75.

176-A. It shall be the duty of the board of education of each and every county in the State of Maryland, and of the Board of Education for Baltimore City, in the State of Maryland, to cause to have displayed a flag of the United States of America upon every public school building within their respective jurisdictions while said schools are in session, and to that end shall make all necessary purchase of flags, staffs and appliances therefor and establish rules and regulations for the proper custody, care, and display of the flag in said schools; and it shall be the duty of said boards of education to prepare for the use of the public schools of the state a programme providing for the salute to the flag, and such other patriotic exercises from time to time as may be deemed by them to be expedient, and under such regulations and instruction as may best meet the various requirements of the different grades in such schools; all to the end that the love of liberty and democracy, signified in the devotion of all true and patriotic Americans to their flag and to their country, shall be instilled in the hearts and minds of the youth of America.

## MEDICAL INSPECTION OF SCHOOL CHILDREN.

\* Chapter 165—1914.

AN ACT to provide for the medical examination of school children and the promotion of their health.

Section 1. Be it enacted by the General Assembly of Maryland, That the board of county school commissioners of any county in the State, may, in its discretion, appoint one or more school

physicians and assign one to any public school within the limits of such county, and shall provide such school physicians, when so appointed, with proper facilities for the performance of their duties, as hereinafter provided.

Sec. 2. And be it enacted, That school physicians appointed as outlined in section 1 shall be physicians legally qualified to practice medicine in this State who have had at least two years' experience in the practice of their profession.

Sec. 3. And be it enacted, That every school physician so appointed shall make a prompt examination of all children referred to him, as hereinafter provided, and such further examination of teachers, janitors, and school buildings, as in his opinion the protection of the health of the pupils may require. He shall return promptly to the authorities appointing him, on blanks furnished as hereinafter provided, the results of his examinations.

Sec. 4. And be it enacted, That the superintendent, principal, or teacher of any school to which a school physician has been assigned, as hereinafter provided, shall refer to such physician every child returning to school without a permit from the health officer or Board of Health, after absence on account of illness or from unknown cause, and every child attending such school, who appears to be in ill health, or is suspected to be sick with any contagious or infectious disease, unless such child is immediately excluded from school, under the provision of the general statutes or the sanitary regulations in force in said town or district; provided, that in the case of schools in remote and isolated locations, the school authorities may make such other arrangements as may be advisable to carry out the purposes of this Act.

Sec. 5. And be it enacted, That the board of county school commissioners of any county, which has appointed one or more school physicians, in accordance with the provisions of this Act, shall cause every child attending the public schools therein to be separately and carefully tested and examined at least once in every two years to ascertain whether such child is suffering with defective sight or hearing, or from any other physical disability tending to prevent such child from receiving the full benefit of school work, or requiring a modification of such school work, in order to prevent injury to the child, or to secure the best educational results; and the school authorities may establish special

classes for these defective children, and may employ additional teachers for this purpose.

Sec. 6. And be it enacted, That notice of the disease and defects, if any, from which any child is found by such school physician to be suffering, shall be given to the parent or guardian of such child with such advice relating thereto as said physician may deem advisable, and whenever any child shows symptoms of any contagious or infectious disease, notice shall also be given to the health officer or board of health, and such child may be excluded from attendance at such school, in accordance with the provisions of the general statutes or the sanitary regulations in force in the town or district. Visiting nurses may also be employed to visit the parents to assist in securing the medical attention required.

Sec. 7. And be it enacted, That the school physicians shall be paid for the services rendered, such amount as the school authorities shall deem proper and sufficient under the particular circumstances, and shall pay the same from the general funds in their hands, such compensation not to exceed \$2.00 per hour actually given to examination in the schools.

Sec. 8. And be it enacted, That the State Superintendent of Public Education shall prescribe, after consultation with the State Board of Health, the directions for tests of sight and hearing, and shall prescribe for the school authorities of the State suitable rules of instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this Act.

Sec. 9. And be it enacted, That no person suffering from any communicable disease shall be employed as teacher or janitor in any public school in this State. At the opening of each annual term teachers must furnish a health certificate from a registered physician, addressed to the superintendent of schools, certifying that they are not suffering from tuberculosis or other communicable disease.

Sec. 10. And be it enacted, That the State Board of Education shall provide for pupils in the normal schools suitable instruction and practice for testing the sight and hearing of school children.

Sec. 11. And be it enacted, That the expenses incurred under the provisions of this Act shall be paid in the same manner as the ordinary expenses for the support of schools in the several counties of the state.



## MARYLAND STATE UNIVERSITY.

## \* Chapter 198—1914.

Section 1. Be it enacted by the General Assembly of Maryland, That a seminary of learning, by the name of the "Maryland State University," be, and is hereby, created and established in this State; that Phillips Lee Goldsborough, Governor of the State of Maryland; Emerson C. Harrington, Comptroller of the Treasury of the State of Maryland; M. Bates Stephens, State Superintendent of Education; Jesse D. Price, Peter J. Campbell, William W. Beck, Edward M. Hammond, Arthur P. Gorman, J. Frank Harper, Carville D. Benson, James McC. Trippe, Lloyd Wilkinson, Andrew J. Cummings, Roscoe Jones, James A. McQuade, James A. Dawkins, David J. McIntosh, Jr., Noble L. Mitchell, Thomas Fell, Robert Moss, James W. Cain, James Alfred Pearce, Thomas H. Lewis, Joshua W. Miles, James Earle Maloy, Randolph Winslow, Thomas A. Ashby, Henry Stockbridge, William T. Rawles, Timothy A. Heatwole, Philemon H. Tuck, Charles Caspari, Jr., Joseph H. Branham, Frederick Crowthers, William F. Lockwood, John W. Chambers, Omer F. Hershey, George Moore Brady, J. Walter Engler, Edward C. Bixler and William Milnes Maloy, their associates and successors, shall be, and are hereby constituted and declared to be a corporation and body politic forever, by and under the name of the Maryland State University, and as such shall be entitled to and shall possess, use and enjoy all and singular the general powers provided for corporations formed under the general incorporation laws of this State in so far as the same are or may become applicable to such an educational corporation as is by this act created; and any ten or more of the above incorporators may meet and accept this charter and organize hereunder, provided each incorporator shall have been given at least three days' notice of said meeting.

Sec. 2. And be it further enacted, That no member of the governing body or professor or lecturer, instructor, tutor or student of said University shall ever be required to hold or profess any particular religious belief or opinions as a test of office or for admission to any of the privileges, honors, or degrees of said University.

Sec. 3. And be it further enacted, That the governing Board of the said University shall be its Board of Regents, which shall consist of His Excellency, the Governor of Maryland, ex-officio; the Honorable the Comptroller of the Treasury of Maryland, ex-officio; the State Superintendent of Education, ex-officio; six persons to be appointed by the Governor of the State of Maryland, none of whom shall be connected with any of the affiliated institutions of the University, one of said six persons being from each of the six Congressional Districts of the State; two of which six persons shall hold office for a term of two years from the first Monday in May next succeeding their appointment and until their successors shall qualify; two of which six persons shall hold office for a term of four years from the first Monday in May next succeeding their appointment and until their successors shall qualify; two of which six persons shall hold office for a term of six years from the first Monday in May next succeeding their appointment and until their successors shall qualify; the Governor shall, at the time of making said appointments, designate the term of years of each of said six persons when first appointed under this charter; the term of office of said six members after the expiration of the term for which first appointed, shall be a term of six years, and to take the places of the members of the said Board whose terms of office shall so expire, the Governor shall, every two years, after 1914, before the first Monday in May in such years, appoint two persons as members of said Board of Regents to serve for terms of six years from the first Monday in May next succeeding their appointment and until their successors shall qualify; said persons shall be of high character, integrity and capacity; in case of a vacancy among said six members by death, resignation, disqualification or otherwise, the Governor shall fill such vacancy; that in addition to the above, the Board of Regents shall consist of two representatives from each of the institutions affiliated with said University, which affiliated institutions shall be entitled to change such representatives, whenever the governing body of such affiliated institution shall see fit; provided that such changes be always made so as to take effect on the first Monday in May in each year; that the governing body of any institution so changing its representative shall always designate whom the newly appointed representative is to

succeed; and that for the first year and until their successors shall have been chosen and shall have qualified the following persons shall be the representatives on the Board of Regents of the various affiliated institutions with which they are associated, viz:

James Alfred Pearce and James W. Cain, representing Washington College;

Robert Moss and Thomas Fell, representing St. John's College;  
Randolph Winslow and Philemon H. Tuck, representing the University of Maryland;

Thomas H. Lewis and Joshua W. Miles, representing the Western Maryland College;

William F. Lockwood and John W. Chambers, representing the College of Physicians and Surgeons;

Joseph H. Branham and Frederick Crowthers, representing the Maryland Medical College;

Edward C. Bixler and J. Walter Engler, representing Blue Ridge College;

Sec. 4. And be it further enacted, That the said Board of Regents shall elect a Provost who shall be the executive head of the University and who shall be, ex-officio, a member of the Board of Regents; the Governor of Maryland shall be, ex-officio, Chairman of the Board of Regents, but said Board shall have power to choose from among the members a Vice-Chairman who shall act in the absence of the Governor.

Sec. 5. And be it further enacted, That it shall be lawful for the said Maryland State University to enter into any contract, articles of agreement or mutual ordinances or statutes with any existing or hereafter created college, university, conservatory, institute, technical, professional, military or agricultural school, or other similar institution, and to affiliate said institution with the said university under such terms as may to the respective governing bodies of the said institution and of the said Maryland State University seem meet and proper; it shall be lawful for the said Maryland State University to enter into any contract, articles of agreement, or mutual ordinances or statutes with any existing or hereafter created hospital, infirmary, laboratory, home asylum, or similar institution, with any normal school, school of pedagogy, institute of art and design, library, or other institution of a similar character, the terms of contract between the



said Maryland State University and the said contracting institutions to be such as the governing bodies of the several contracting institutions may deem meet and proper; provided, always, that the terms of alliance and contract be not repugnant to the form of government or to the laws of this State; that the affiliation with the said University of any other institution shall not be held to deprive such institution of any of its corporate rights, privileges or franchises under its charter and the supplements thereto, nor in any way injuriously to affect or impair the same, nor vest in the said University the right or title to any of the property of any such other institution.

Sec. 6. And be it further enacted, That it shall be the duty of the said Board of Regents to provide for a closer relation between the high schools of the state and the colleges affiliated under this charter, and also between the said colleges and professional schools constituting the University.

Sec. 7. And be it further enacted, That the Maryland State University shall have power to pass by-laws for its own government, to name its own officers and employes and fix their duties and compensations, and shall have power to establish, ordain, promulgate and publish by-laws, rules, regulations, and ordinances, respecting the requirements for admission and graduation; and all matters that are susceptible of and which it is desirable should be governed by general regulations shall be within the province of the Maryland State University.

Sec. 8. And be it further enacted, That it shall be lawful for the said University to receive, and it is hereby empowered to receive, by gift, grant, bequest or devise, or by Federal, State or municipal appropriation, land, money, property or other things of value and to hold or expend such gifts, grants, bequests, devises or appropriations of money or property for the purpose to further which said University is in this Act created.

Sec. 9. And be it further enacted, That in case any land, money, property or other thing of value has been or may hereafter be given for any specific object or purpose to the said University or to any of the colleges, schools, or other institutions affiliated with it, the same shall be treated as in the nature of a trust, and shall not be used, disposed of, or diverted to any purpose other than that indicated and authorized by the donor.

Sec. 10. And be it further enacted, That the said University shall have power to hold convocations of the faculties of the affiliated institutions and other learned persons for the discussion and furtherance of education and the special matters committed to it; to hold a public commencement or commencements at such times and places as it may ordain; and upon the completion of the course or courses of study in any department of said University, in accordance with the conditions and requirements thereof for such department, and upon the recommendation of the appropriate faculty, the University shall have power to confer the customary and appropriate academic degree; and upon the diplomas of any of its affiliated institutions it shall, upon the application of said affiliated institution, impose the seal of the University, attested by the proper officer or officers, if the requirements for admissions and graduation shall have been met; that by a three-fourth vote the Board of Regents may confer appropriate degrees honoris causa for eminent achievements in letters, science or for professional attainments.

Sec. 11. And be it further enacted, That in case any affiliated institutions shall at any time in the estimation of the Board of Regents fail to abide by and perform the agreements and undertakings by it entered into, the said Board of Regents may withhold its seal from any diploma of such affiliated institution, and may at its option declare the agreement of affiliation terminated at the close of the next scholastic year; provided, that the affiliated institution shall have been notified in writing as to the matter in respect of which it has so failed to keep its said agreement and shall have been given an opportunity to present its defense thereto to the said Board of Regents at a meeting to be held not later than 30 days nor more than 60 days subsequent to such notice.

Sec. 12. And be it further enacted, That this Act shall take effect from the date of its passage.

Approved April 16, 1914.

#### OCEAN CITY EDUCATION BUILDING.

\* Chapter 227—1914.

The Ocean City education building and equipment, when completed and accepted by said Ocean City School Building Commis-

sion, shall thereafter be the property of the State of Maryland, and from the first day of September to the first day of June in each year shall be under the supervision and control of the Board of County School Commissioners of Worcester County and may be used by the said County School Commissioners of Worcester County without rental or charge for a public school at Ocean City as a part of the public school system of said County, subject to such other school uses during said period as the State Board of Education may require but not to interfere with the usual or orderly conduct of the said County Public Schools at said Ocean City; and from the first day of June to the first day of September in each year shall be under the supervision and control of the State Board of Education for such summer schools, institutes, associations and other assemblages of public school teachers or other educational or public purposes as may be permitted or approved by State Board of Education.

#### SPECIAL APPROPRIATION FOR TEACHERS.

1918, ch. 252.

1. Each teacher regularly employed in the public schools of this State for white children, during the 1917-1918 scholastic year, for not less than nine months, and in service at the end of said scholastic year, whose annual salary is less than \$600.00, shall, as additional compensation, receive from the State one-half of the difference between such annual salary and the sum of \$600.00, provided that the additional compensation so to be paid by the State shall not exceed the sum of \$50.00 in the case of any such teacher, and provided that any such teacher regularly employed for one month or more but less than nine months and who is in service at the end of the said scholastic year shall receive a proportionate part of said additional compensation; but provided further that, notwithstanding anything herein contained to the contrary, the actual amount of such payments shall be subject to the provisions of Section 4 of this Act; and the several counties of this State and the City of Baltimore are hereby requested (without, however, imposing upon them any legal obligation so to do) to provide for the payment to said teachers of an amount equal to the amount paid by the State under this Act.

2. Each teacher regularly employed in the public schools of this State for colored children, during the scholastic year 1917-



1918, for not less than seven months, and in the service at the end of said scholastic year, and whose annual salary is less than \$600.00, shall, as additional compensation, receive from the State one-half of the difference between such annual salary and the sum of \$600.00, provided that the additional compensation so to be paid by the State shall not exceed the sum of \$25.00 in the case of any such teacher, and provided that any such teacher regularly employed for one month or more but less than seven months and who is in service at the end of said scholastic year shall receive a proportionate part of said additional compensation; but provided further that, notwithstanding anything herein contained to the contrary, the actual amount of such payments shall be subject to the provisions of Section 4 of this Act; and the several counties of this State and the City of Baltimore are hereby requested (without, however, imposing upon them any legal obligation so to do) to provide for the payment to said teachers of an amount equal to the amount paid by the State under this Act. .

3. Immediately upon the close of the said 1917-1918 scholastic year, the several county superintendents of schools and the Superintendent of Public Instruction of Baltimore City shall certify to the State Superintendent of Schools a list of all the teachers, within their respective jurisdictions, mentioned in Sections 1 and 2 of this Act, together with the salaries paid to each during the said scholastic year 1917-1918. Thereupon the State Superintendent of Schools shall certify to the State Comptroller before the 15th day of June, 1918, the total amounts due by the State under this Act to the said teachers in each county of the State and in the City of Baltimore; and the State Comptroller shall thereupon draw his warrant upon the State Treasurer for said respective amounts, and the State Treasurer shall thereupon pay the same, respectively, to the treasurer of the county board of education in each county and to the treasurer of the Board of School Commissioners in Baltimore City, who in turn shall, respectively, pay the amounts by this Act provided to the teachers entitled to the same in their respective jurisdictions.

4. If the aggregate amount payable by the State, upon the basis specified in Sections 1 and 2 of this Act, shall exceed the sum of \$150,000 appropriated by Section 4, item 22 of the Budget Bill

(which said appropriation is intended to be for the purpose of this Act) then the amounts payable by the State to the teachers as aforesaid shall, respectively, be proportionately reduced, and if on the other hand the aggregate amount so payable by the State shall be less than the said sum of \$150,000, then the difference between said aggregate amount and the said sum of \$150,000 shall be paid by the State to and among the teachers, of the qualifications above specified, receiving higher salaries than those hereinbefore mentioned, in the order of the amount of such salaries, and in the proportions and manner specified; all to the end that the aggregate amount paid by the State shall in any event be not more or less than the said sum of \$150,000 appropriated for the purpose.

#### REPEAL OF ACADEMIC APPROPRIATIONS.

##### Chapter 377—1916.

AN ACT to repeal joint resolution No. 34 of the legislative session of 1831, joint resolution No. 1 of the legislative session of 1832, joint resolution No. 52 of the legislative session of 1811, joint resolution No. 84 of the legislative session of 1834, joint resolution No. 72 of the legislative session of 1835, joint resolution No. 35 of the legislative session of 1839, Chapter 107 of the acts of 1798, Chapter 204 of the acts of 1835, Chapter 35 of the acts of 1840, Chapter 281 of the acts of 1846, Chapter 105 of the acts of 1854, Chapter 268 of the acts of 1856, Chapters 201 and 310 of the acts of 1858, Chapter 128 of the acts of 1864, Chapter 160 of the acts of 1865, Chapters 183 and 434 of the acts of 1868, Chapters 88, 78, 242 and 419 of the acts of 1870, Chapter 176 of the acts of 1874, Chapter 339 of the acts of 1878, Chapter 429 of the acts of 1882, Chapters 279, 299 and 481 of the acts of 1890, and Chapter 430 of the acts of 1906; the same being designed to repeal all continuing appropriations to colleges, academies and schools included in what is commonly known as the "Academic Fund."

Section 1. Be it enacted by the General Assembly of Maryland, That joint resolution No. 34 of the legislative session of 1831, joint resolution No. 1 of the legislative session of 1832, joint resolution No. 52 of the legislative session of 1811, joint resolution No. 84 of

the legislative session of 1834, joint resolution No. 72 of the legislative session of 1835, joint resolution No. 35 of the legislative session of 1839, Chapter 107 of the acts of 1793, Chapter 204 of the acts of 1835, Chapter 35 of the acts of 1840, Chapter 281 of the acts of 1846, Chapter 105 of the acts of 1854, Chapter 268 of the acts of 1856, Chapters 201 and 310 of the acts of 1858, Chapter 128 of the acts of 1864, Chapter 160 of the acts of 1865, Chapters 183 and 434 of the acts of 1868, Chapters 88, 72, 242 and 419 of the acts of 1870, Chapter 176 of the acts of 1874, Chapter 339 of the acts of 1878, Chapter 429 of the acts of 1882, Chapters 279, 299 and 481 of the acts of 1890, Chapter 430 of the acts of 1906; be, and the same are hereby repealed in so far as they provide appropriations from the Treasury of the State of Maryland.

Sec. 2. Be it further enacted, That this act shall take effect June 1, 1916.



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